

Summe of Cicero
MARCVS

Tullius Cicero, his
three Bookes of DVTIES TO
MARCVS his SONNE,
turned out of Latine into
English, by *Nicholas*

prodr to *d Grimald.*

Whereunto the Latine
is adioyned.

SE, Oct, 10th, 1681.



Naumen Mark
LONDON:

Printed by *Thomas Este.*

Pauperes Libere vivunt cum
Divites

Pauperes habet locula non quicquid
egeditur ab illo

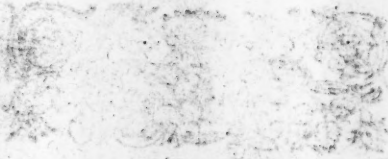
Etsi vix regnat a quicquid
Non movetur. Egitur fuit. rumina
ne possit egi

Ros facta noy. nec verba timentur

WILHELMUS

nonnulli

1511



LONDON

Printed by J. B. Smith

TO THE READER.



Al things in the world (gentle Reader) be made for some vse & end, which end is more worth than all that doth serue therunto, & where both the end is good, and what so serueth thereto, there the whole doing is likewise good. In vs the best worke is, to vse our selues well and worthely, who in the order of natural things are of the best and worthiest kind. For what is there that can vse it selfe, butlesse it be enformed with reason & vnderstanding? Dumb creatures and liuelesse of others be vled: but themselves can they neuer vse. Beasts endued with life and sence, may seeme to haue some semblant hercof: in that they vse their feeding, lodging, and other necessities, yet thereby they obtaine neither praise nor dispraise, seeing they do it not of any free choyse, but onely by the motion of kinde, and as their appetite draweth them. But we who haue the great gift of wit & Reason, must not most of all sticke still in that appetite, to get nothing els but pleasure and profit, but ensuing the heavenly guide of our nature, must be led to the desyre of truth, honour and scemelinesse, wherewith the more that we be decked adorne and beautified the farther we be from the brutishnesse of beasts, and the nearer approach we to the nature diuine. In as much then as euery thing is borne to doe that which to his kinde is most agreable, & so it becometh most to vse our selues, our part without doubt, & our duty shall we doe best, if we imploy the vssing of our selues to deeds that be honest & commensurable. Other things when we vse, as lands, houses, armour, hoxles, hounds, money, clothes, or Cusse, we cannot yet vse them at al times, & with them we must

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enforce & busie our selues also, whereas the blessing of our selues is in every place at hand, and at no season to take. For whether we be doing somewhat, or at rest, whether we abide in the country, or in the citie, whether we be occupied in earnest or in game, no pause there is at all, but night and day we vse our selues continually.

Which thing sith in euery portion of a mans life it hath place, if it be well and wisely, and conveniently done, we shall be wealeful and in a blessed case, if vngraciously, and fondly, and wickedly, wretched shal we be & in a wofull plight. This are we taught too much, by the common life of men, who for default of skill how to behaue themselves be confounded in deepe darknesse of error and ignorance, and wanting the right rule, they take chaffe for chesse, as the saying is, they cannot frame their affections nor keepe them in temper. But such manner clouds be clearly dissolued, by the beames of Philosophie, which set before our eye sight the very ends and marks, the selfe nature hath appointed vs.

For in this world here beneath, are three kinds of liuing wights, whereof some haue no more but life, as Plants, Hearbs and Trees, growing out of the ground, some haue not onely life, but senses also: as Sheepe, Oxen and other beasts: the third comprehendeth both these: and our life and senses, hath the soueraigne ruler Reason: as in the nature of man we see them all conioyned.

It remaines therefore, and meet it is for him such doings to practise: as may both severally agree with each of these parts, and generally with them altogether. To the parcell inferiour (by which we receive
our

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our nourishment, our growing and the state of our body) welfare is appointed the bittermost end, wherein the thing consisteth that we cal profitable: which concernes the getting, maintaining, or recouering of health. Of the soule, or life endued with senses, pleasures is the ende that it would enioy. The third nature, which is partner of reason, hath this mark to shoot at (if you consider it by it selfe alone) science and knowledge of truth, if you behold it with the other two accompanied, it hath honestie, worship and honour.

These be the very ends, whereto mans life and nature must endeauour to attaine: hether darst Philosophy promise to bring a man, by her information. For when she hath told in a generalitie, what is honest, comely, auailable, praise-worthy, and in every point conuenient then may men by intelligence perceiuing the truth, truly expresse the same in every particular deed.

Wherefore seeing reason containes the whole life of man, and to it as their captaine the other parts be obedient, or at least wise ought to be: first, marke wee the particular propertie of reason: then how with the other powers it exerciseth man, after ward the comely behauiour, and dutifull dealing is the open resort and fellowship of men.

Mans minde is contented and satisfied with nothing so much, as the cleere vnderstanding and that vndeceiuable science of truth. Chiefly standeth his mind in contemplation of immortall and perdurable things: thereto, in such as fade and fall, it teacheth, or dayneth, appointeth, commaundeth.

Wherbyon the order, course, figure, light, influence

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of Sunne, Moone, and Stars it obserueth, concei-
ueth intelligences. Angels, Soules and formes im-
materiall proceedeth from them, and so mounteth vp
to the very authour, and prince of this worlds uni-
uersitie: whom it knoweth and knowledgeth to be
one, the best, the mightiest, the truest, the most righ-
teous and everlasting. Yet is the selfe same mind by
the fellowship and companie of the sences & desires,
many a time called away from that principall office,
to consider these vnsustable, and mutuall things, and
sometime to cast in conceit, formes disseuered from the
matter mathematically: and sometimes to view
things sensible, that can in no wise be seuered from
the materiall substance, as Elements, Beastes,
Hearbes, Trees, Mettals, Stones, and such like:
all that which must needs be fenced and fortified
with the trade of debating doubts, and discerning of
truth from vnt ruth: which is the Art of Logick, the
very rule of reason and instrument of all discourse.

Now to speak of the vsing of the whole man, by
the continuall tenour and stedfast rate of bodys ce-
lestiall and naturall, the minde of man leearneth or-
der, obedience and concord. For like as God gover-
neth things manifold, mouable, and falling away,
being himselfe but one vnremouable & ever during:
so reason within vs ought to rule ranging lust, and
rash motions of the minde, and the other vnworthier
and weaker parts, being it selfe stedfast, sage, princi-
pall and strongly established.

In case a man loue any one part of himselfe too
much: or sue after the end thereof by a wrong way,
and cleane out of fashion: hee shall not lead a life all
even and straight, but hooked and crooked, not easie
and

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and quiet, but miserably dis tempered. For who so be ouermuch enclined to pampering, and pleasing of the vitall portion, they be all bent to gather good, and wholly giuen to gaine. They that all onely serue their senses, and set their delights to feele the pleasures of the same, by excessiue eyther in riotting and banquettings, and in outragious fleshfondlings, or in other such pastances, as be sensuall. They which hold them content to lead a life contemplating, hauing no regard, nor respect to the fozenamed parcels, doe proue slower, slouing, blockish, rusticall and far from all ciuillnesse of life. He in whom reason toyne with the senses, for to doe them seruice, will inforce himselfe to win worldly gloze and souerainty. He that can comprise in his thought no large compasse, nor deepe consideration: but is faint, feeble, wanering, & full of infirmitie, wil shew forth himselfe chiefly with apparelling, or with some outward brag to supply his want within.

To such sorts of annoyance and discomenience, light & moderation is brought by morrall doctrine, the which Marcus Tullius Cicero in these booke of duties professeth. This learning teacheth so much to graunt the vitall part, and the netherest, as will be sufficient to preserue the life in health and welfare. It willethe also the feeling portions so to take fruition of pleasures, that neither it defraud the lower part of the profits thereto appropriate, nor with importune egging annoy the mind which aspireth vnto variety of opinions, and brightness of manners.

Without more words, it assigneth for to raigue which is borne to raigue, and that to be obsequant which is framed for obedience.

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Now, when a man is so instructed with Philosophie, that he can full conveniently live sole, and at poynt devise by himselfe, he must be brought forth abroad into the face of the World, to the entent he may procure, not onely that becomes himselfe to do, but also the wealth of other folke. He must remember the threefold state and diueritie that he hath espied & practised in himselfe, & must transfer the same to the gouernance both of his household priuately, & of the whole commons openly. So shall the meanest sort like the vitall parcell in man, be occupied about the most seruile & needful works. Men of the middle degree, like the senslue soule, shall attend to affaires and sciences most liberall. The Nobility in the common gouernment, like reason in the nature of man, shall rule all the multitude. That thing also doth Tully touch in this Treatise, and sheweth men in authozite their duties, both in war and peace, wherby they may make themselves and their subiects happy and fortunate.

And not onely them, but all sorts of men he admonisheth what they haue to doe throughout their life, according to their age, trade, and estate, with respect to the circumstances of times, places and persons. In the first booke he first deuiderth duty into the perfect and the meane, leauing the one (which belongeth to the end of good and is in it selfe right) to men of perfection, & prosecuting the other in certayne rules & precepts, so that thereby euery man may frame and order his life. Then he leads vs to the finding out of duties, by taking aduise ment about the choise of honest things, and refusall of the vnhonest. Afterward he sets forth the originall cause, and the chiefe parts

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parts of honestie, with their duties and properties. At the least he warneth vs to discerne the more or most honest thing from the lesse or least, and alwaies in the vse thereof to prefer the greater. In the second rehearsing profitable and vnprofitable things, he sheweth how to attaine & to vse the profitable, & how to eschew the contrary, and in the end makes a comparison of profits, teaching to prefer the greater before the smaller, or the more before fewer.

In the third he compareth profit with honestie, and with euery part thereof, not as if there could indeede be contrary betwene them, but he meanes the profit, and the honestie which seemeth not profitable, or of either of them the apparant shew, and he tels vs what is to be done when they so seeme to strine one with another that honestie allureth vs one way, and profit calleth vs another way.

Thus the whole matter is referred and applyed to honestie and profit, two principall points of good, the third (which we call pleasure, is placed by the Peripatetikes in the number of good things) Tully like a Stoike, doth but briefly touch, as a thing impertinent. But of the other two places, containing all the doings of men, Cicero hath tolde his minde, and left it vs in this booke, euen as fully as in his life time he conceived it in his head.

For who euer saw in so few leaues so much moral doctrine, & politicall, set out with so many cunning cases, & feats oratoricall, what a sort of stories be there so notable of themselves, so handsomely applyed, so elegantly told : You shall not lightly reade the like within so little compasse in any historian, that of purpose doth nothing else. How finely and
feately

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feately be the Poets verses alleadged : With what a discretion are some auncient writers reprimed : With what subtilty and finenesse of wit be certaine controuerſies debated : Either of the chiefe Philoſophie, or of all humanitie, what point is there lacking : Aristotle artificially hath written of manners: but what for the lightſomneſſe and eloquent handling of the Treatiſe, what for the Latine tongue, which we doe uſe more than the Greekes, Tully is aboue him. Panetius wrote of dutifull demeanour : but though his worke in ſome points was Tullyes patterne, yet in all points, by all their iudgements that euer ſaw them both, Tully is aboue him. Xeno the Stoike wrot of dutie, but ſeeing diuers Greekes who are Tullyes inferiours were as good as he, certes Tully is aboue him. Poſſidonius a Rhodian medled with the ſame matter, but nothing to Tullyes. So did Heeato, but nothing to Tullius. And many other moe of latter time, but Lord how far be they from Tullius? Tullius in his graue yeeres, after hee had heard a number of learned men, after hee had read the moſt approued authours, after he had indited ſo many vollumes, and his ſtile was waxen ripe, his wit ſage, his learning full, his iudgment perfect, enterpriſed to draw this draught, and made it of ſuch excellencie as we may well wonder at it in viewing, & yet not attaine in following. Tullius hauing done many glorious acts, in a ſtate of gouernment moſt triump hant, learned the moſt part of theſe leſſons by experience.

Tullius out of the Greeke authours, of whom alſo ſome had been gouernours in flourishing Empires, tranſlated a great deale. Tullius to Marcus his welbe-
loued

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loued sonne, abiding euen at Athens, among the best Philosophers, was not afraid to send this parcell of Philosophie. No doubt as welcome it was to the learned Athenians, as the Greekes doings were to the Romanes, or as now adayes the French and Italians well framed writings are to those Englishmen that vnderstand them, yea and so much the more welcome, as it was a rare thing then, to see that kinde of knowledge expressed in pure Latine.

But in Rome, in Italy, in Europa, in all quarters, where Latine speech had place, O, so it was embraced at all times of all men, in euery degree, order and estate. Rulers haue here found much wittie pollicy appertaining to the gouernance of realms. Housholders and Parents haue picked out of these Bookes vertuous instructions for their Children and Seruants. Doctours and Diuines haue here met with morrall sentences and ensamples very excellent. Ciuill Lawyers haue espied touching Justice and Equitie, both Rules appoynted, and Cases discussed.

Scholemen haue taken from hence Problemes and Questions to debate at large, and haue fetched from hence philosophicall conclusions, with reasons and arguments to proue and to disproue. Oratours haue been well furnished hereby with sundry graces and ornaments of speech, and in the like manner of matter, haue marked how to bestow their stile. Rhetoricians who for their exercise vse declamations, haue taken out of this, common places, like large fields, where men may walke at liberty. Scholemasters neuer will of finer phrases, for to make their Schollers acquainted with the very vaine of the Latine

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Latine language. At few words, all men that of wisdom be studious, may get somewhat herein to sharp the wit, to stoke the intelligence, to feede the minde, to quicken the spirit, to augment the reason, to direct the appetite, to frame the tongue, to fashion the manners, moreouer to rule, to obey, to dispute, to determine, to teach, to perswade, & to euery needfull purpose in mans life.

Unlesse the selfe thing witnesse as much as I say, let me not be credited: but in case both the Booke speake for it selfe, and to my testimoniall I am able to adioyne princely piers, well knowne, and well approued, then shal both the worthines of the work, and also the waight of the authoritie win credit and assent: Tullyes Duties when Cesar Augustus had read ouer, still standing on his feet, as he againe deliuered them to his Nephew, of whom he had them, Eloquent (quoth he) was this man, eloquent hee was indeed: and one that loued well his Countreie. Tullyes Duties had Senerus the noble Emperour, in so great price and reputation, that of all the Romanes Bookes, to read them hee thought him best apaid. Tullyes Duties haue I knowne good Clarke and well learned men beare about in their bosomes, laying it full nere their harts, that they would haue lodged in their heads: and entirely louing Tullyes heavenly company, which way so euer they went. Tullyes Duties did Erasmus Roterdamus, so greatly commend, that in making mention of them he could not chuse but breake forth into these words, What? writeth an Ethnike all this to Ethnikes? a Profane man to the Profane? Yet in his precepts of conuersation, O Lord, what an equitie, what an holinesse

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holinesse, what sinceritie, what verity? How wel doth
altogether accord with nature? How is all framed
euen by good reason? what a conscience requi-
reth he of such as governe the state? How plaine-
ly sets he befoze our eyes the meruailous and the
amiable beautifulnesse of Vertue? How much, how
religiously, yea how like a diuine doth he teach of hel-
ping and relieuing other men? of getting and main-
taining of loue & friendship? of the contempt of those
vantages, for which the common sort of Christians,
will eyther doe or suffer they care not what. Finally,
he iudgeth them full worthy, and full meete both for
Schoule-masters in their Schooles to read vnto the
youth, and also for old men againe and againe to ble
and to peruse. These riches and treasures of wit and
wisedome, as Cicero transported out of Greece into
Italy, so haue I fetched from thence and conuayed
them into England, and haue caused also Marcus
Tullius (more then he could doe when he was aliue)
to speake English. Meruailous is the matter, flow-
ing the eloquence, rich the store of stoffe, and full ar-
tificiall the inditing: but how I in our manner of
speech haue exprest the same the more the booke be
perused, the better it may chance to appeare. None
other translation in our tongge haue I seene but
one, which is of all men of any learning so wel liked,
that they repute it and count it as none, yet if ye list
to compare this somewhat with that nothing, perad-
uenture this somewhat will seeme somewhat the more.
Howbeit looke what rule the Rhetorician giues in
precept to be obserued of an Orator in telling of his
tale, that it be short and without idle words, that it
be plaine, & without darke sence, that it be prouable
and

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and without any ſwerving from the truth, the ſame rule, ſhould be uſed in examining & iudging of tranſlation. For if it be not as brieſe as the very authors text requireth, what ſo is added to his perfect ſtile, ſhall appeare ſuperfluous, and to ſerue rather to the making of ſome paraphraſe or commentary. Thereto if it be vttered with inkhorne termes and not with vſuall words: or if it be phraſed with wretched or far fetched formes of ſpeech, not ſine but harſh, not eaſie but hard, not naturall but violent it ſhall ſeeme to be. Then alſo in caſe it yeld not the meaning of the author, but eyther following fauſſe, or miſſed by error, forſakes the true patterne, it cannot be approued for a faithfull and ſure interpretation, which ought to be taken for the greateſt praiſe of all. Theſe points as I haue ſtudied to perſorme, ſo where I haue not alwayes attained vnto them, I ſhall deſire you gentle Reader, gently to conſider both the excellency of the author, who was a perfect Orator, and alſo the greatneſſe of the matter, which is profound Philoſophy. Neuertheleſſe, ſuch as be exquiſite in both the languages already, may (and that with ſome profit and pleaſure) try what I haue done, and what they can doe all vnder one, if laying my tranſlation apart, they will ſet the Latine beſore them, and ſo aſſay their owne braine. Eyther they ſhal themſelues the better, when they conſer it with my poore workmanſhip, or elſe perchance giue mee the more thanks for attempting, following, and accompliſhing of this enterpriſe. Be it ſo, one hath neither the latine, nor the Engliſh eloquence: yet by the benefite of nature, with a man may doe much, namely, if hee thereto adloune uſe and exerciſe, here is for him occaſion both
to

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to whet his wit, and also to file his tongue. For although an Englishman hath his mother tongue, and can talke apace, as he learned of his mother, yet is it one thing to rattle tattle I wot not how, or to chaunter like a Jay, & another to bestow his words wisely, orderly, pleasantly and pithely.

Such as haue English meetely well, and but a smattering or small tast in the Latine, which number is great among the Schollers of this Realme, may hereby fall into such acquaintance and familiaritie with this most excellent Latine man, that neyther shall his deuise seeme hard, nor his Art obscure, nor his stile strange. I dare well say if this worke hap into a good Students hand he will not thinke it enough to run ouer it once, as we fare with trifles and toys, but aduisedly and with good leasure, three foure or foue times, he will read it, and read it, and read it againe: first, by the principall poynts, by the definitions and the diuisions, to see what is treated, how far forth, in what order, and with what variety: then to mark the precepts, reasons, conclusion and common places. After, vnto the said places to refer all the storres with the verses poeticall. Finally, as well in the English as the Latine to weigh wel properties of words, fashions of phrases, and the ornaments of both. Moreover many Clarke haue I knowne ere this, which could conceiue and vnderstand full well, whose tongue neuerthelesse in utterance and ble of spech was in a manner maimed. Yea, and some that could also speake Latine readily, and well fauouredly, who to haue done as much in our language, and to haue handled the same matter, would haue bene halfe blinde, what neede mo words.

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I desire my trauell no otherwise to be taken in worth, then the diligent peruser shall in effect finde fruit thereof. Now therefore (good Reader) fare ye well, and remember how vnfit (as Aristotle saith) & vnprofitable hearers of morrall science young men be, as long as eyther they follow their youthly affections, or do continue vnfittfull, and rude in the deeds that of duty belong to mans life. For all that while they yield themselves to be led away of their mad moods, if you talke to them of vertues, and of manners: ye doe but sing the deafe a song. And how shall they be able to iudge, what is discretely, rightfully, valiantly, moderately, and worthely done, who neither haue any such qualitie, nor vnderstand by experience any point of the same: yet to asmuch as it must of necessitie be knowne what is vertue and vice, before a man can wel and wisely liue, embracing the one, & eschewing the other, eyther to make sound the sicke minde (in case it be diseased and hath a will to be religned) take this doctrine as a medicine, or els to confirme the whole that is to meane, in case, you haue bene well and honestly trained by, more perfectly to perceiue the path of good manners, wherein you may walke with entire delight, & come to the honor of a landable life. Thus I haue holden you, kind Reader with my homely tale: now will I not borrow your patience any longer, but for your gentleness and studious disposition, will straight way send you from the Scholler to the Maister, and from me to the speech of this diuine Orator and worthy Philosopher.

FINIS.



MARCVS TVL- MARCI TVL-

lius Cicerōes first booke
of Duties to Marcus
his Sonne.

lij Cicerōnis de of-
ficijs ad Marcum
filium, Lib. i.

Although you son Marke
having now & yere heard
Cratippus, & that in A-
thens must needs flow full of
rules and lessons of Philoso-
phie : because of the passing
great excellencie both of your
teacher, & of the cittie: where-
of the one may store you with
knowledge, & other with ex-
amples : yet as my selfe, to
mine owne furtherance, have
euermore iorned the Latine
with the Greeke : and have
done that, not only in Philo-
sophie, but also in the practise
of Oratorie: I thinke it meet
for you to doe the same, that
alike you may be in the readi-
nesse of both the kinds of elo-
quence. To which purpose
verily we (as we suppose)
have brought great aid to our
Countrimen : that not onely

Quanquam te Mar-
ce fili annuam iam
audiente Cra-
tippum ; idq; Athenis
abundare oportet prae-
ceptis institutisq; Phi-
losophiae, propter sum-
mam & doctoris autho-
ritatem & Urbis : quorum
alter te Scientia attingere
potest, altera exemplis
tamen, ut ipse ad meam
utilitatem semper cum
Graecis latinis coniunxi,
neque id in Philosophia
solum, sed etiam in di-
cendi exercitatione feci
idem tibi censeo facien-
dum, ut par sis in utrius-
que Orationis facultate.
Quam quidem ad rem
nos (ut videmur) magni
attulimus adiumentu ho-
minibus nostris ! ut non
modo

D

De Officijs.

modò Græcarum literarum rudes, sed etiam docti aliquantum se arbitrentur adeptos, & ad dicendum & ad iudicandum. Quamobrem discas tu quidem à principe huius ætatis Philosophorum, et discas quam diu voles (tam diu autem velle debebis, quoad te quantum proficias non pœnitebit.) Sed tamen nostra legens, non multum a Peripateticis dissidentia, (quoniam utriq; & Socratici & Platonici esse volumus) de rebus ipsis vtère tuo iudicio: nihil enim impedio, orationem autem Latinam efficiēs profectò legendis nostris pleniorē. Nec verò arroganter hoc dictum existimari velim: nam Philosophandi scientiam concedens multis, quod est Oratoris propriū, aptè, distinctè, ornateque dicere (quoniam in eo studio, ætatem consumpsi) si id mihi assumo, vëdeor id meo iure

the ignorant of the Græke tongue, but also the learned reckon themselves thereby to haue attained somewhat, both to speèch eloquent, and also to iudgement. Wherefoze you shall learne indeede of the prince of philosophers in this age: and you shall learne so long as you will (so long perdie ought you to be willing, as it shall not repent ye how much yē profit.) But yet reading my Wokes, not greatly variant from the Peripatetikes, because wee will be both Socratians & Platonians, of the very matters vse your owne indgment: for I nothing let you: but of trouth, by reading my wozkes you shall make your latine tongue the fuller. For yet I would haue this supposed of a baunt to be spoken. For giuing place to many in the knowledge of Philosophie, if I take vpon me that, which is an Orators propriety, aptly, orderly, and finely to speake: because I haue passed my time in that study, I scēme after a certaine sort, as
in

in mine owne right to chal-
lenge it. For which cause I
earnestly exhort you my Ci-
cero, that diligently you read
not onely my Orations, but
these Bookes also of Philo-
sophy, which now well nigh
to those haue euenned them-
selues in quantitie. For there
is a greater force of eloquence
in those: but this euen and
tempered kind of stile, is also
to be regarded. And this
truely I see hath happened to
none of the Grækes as yet:
that one man trauiayled in
both the kindes: and follow-
ed as well that Lawyerly
trade of pleading as this qui-
et forme of reasoning: except
perchance Demetrius Phaleri-
us may be counted in this
number, who was a subtil
reasoner, no vehement Ora-
tour, pleasant, yet so as you
may know him for Theophra-
stus scholler. But how much
we haue profited in both, I
refer it to other mens iudge-
ment: certes we haue fol-
lowed both, I thinck verily
Plato could haue spoken very
grauely and plentifully if he

quodam modo vendica-
re. Quamobrem mag-
nopere te hortor, mi Ci-
cero, vt non solum ora-
tiones meas, sed hos eti-
am de Philosophia Li-
bros, qui se iam illis ferè
æquauerunt, studiosè le-
gas. Vis enim dicendi
maior est in illis: sed hoc
quoque colendum est æ-
quabile, & temperatū o-
rationis genus. Et id qui-
dem nemini Græcorum
video adhuc contigisse,
vt idem in vtroque gene-
re laboraret, sequeretur-
que & illud forense di-
cendi, & hoc quietum
Disputandi genus. Nisi
fortè Demetrius Phale-
rius in hoc numero ha-
beri potest, disputator
subtilis, Orator parum
vehemens, dulcis tamen,
vt Theophrasti discipu-
lū possis agnoscere. Nos
autem quantum in vtro-
que profecerimus, aliorū
sit iudicium, vtrūq; certè
secuti sumus. Equidem &
Platonem existimo, si ge-
nus id forense dicendi
tractare

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tractare voluisset, grauissimè, & copiosissimè potuisset dicere. Et Demosthenem, si illa quæ a Platone didicerat, tenuisset, & pronunciare voluisset ornatè, splendideque facere potuisset. Eodemq; modo de Aristotele, & Isocrate iudico: quorum uterq; suo studio delectatus, contempsit alterum. Sed cum statuissem aliquid hoc tempore ad rescribere, & multa posthac, ab eo exordiri volui maximè, quod & ætati tuæ esset aptissimum, & authoritati meæ grauissimum. Nam cum multa sint in Philosophia, & graua & vtilia acuratè, copioseq; a Philosophis disputata, latissimè patere videntur ea, quæ de Officijs tradita ab illis & præcepta sunt. Nulla enim vitæ pars, neque publicis, neque priuatis, neque forensibus, neque domesticis in rebus, neque si tecum agas quid, neque si cum altero con-

would haue practised the law like sort of pleading, and also Demosthenes could haue done full finely and seemely, if hee had kept still, & would haue vttered those things which hee learned of Plato. And after the same sort I iudge of Aristotle and Isocrates: eyther of which delighted with his owne study, despyled the other. But when I had determined to write somewhat vnto you at this season, and many things hereafter: I was most willing to beginne with that which both for your age should be fittest, and for my authoritie the grauest. For whereas many matters in Philosophie, both waighty and profitable, bee diligently and plentifully disputed by Philosophers, those seeme most largely to spread which of duties by them haue bene taught & prescribed. For no part of mans life, neither in common nor priuate affairs, neither in matters abroad nor at home, neither if ye doe ought alone, nor if ye contract with another, may be without

out dutie : and in regarding thereof resteth all honestie of life, and in despising the same dishonesty: and this no doubt is a common matter with all the Philosophers. For who is he which giuing no rules of duty, dare name himself a Philosopher? But ther be sundry doctrines which in setting forth the ends of good and bad, doe misturne all Duetie. For who in such wise appointeth the Soueraigne good, that it hath nothing adioyned with vertue: and measureth the same by his commodities, and not by honesty, it commeth to passe that this man, if in himselfe he agree, and be not sometime overcome with the goodnesse of Nature, canne vse neither friendship, neyther Justice, nor liberality: and in no wise doubtlesse can hee be a manly man who iudgeth payne the bittermost euill : nor hee a temperate man who counteth pleasure the greatest good, which points though they be so apparat that the thing needeth no disputation: yet they

trahas, vacare officio potest. In eoq; colendo, sita vitæ est honestas omnis, & in negligendo turpitudō. Atque hæc quidem questio communis est omnium Philosophorū. Quis enim est, qui nullis officij præceptis tradendis Philosophum se audeat dicere? Sed sunt nonnullæ disciplinæ, quæ propositis bonorum, & malorum finibus, officium omne peruertunt. Nā qui summum bonum, sic instituit, vt nihil habeat cum virtute coniunctum idq; suis commodis: non honestate metitur: hic si sibi ipse consentiat, & non interdum Naturæ bonitate vincatur, neque amicitiam colere possit, nec iusticiam nec liberalitatem: fortis vero dolorem summum malum iudicans, aut temperans, voluptatem summū bonorū statuens, esse certè nullo modo potest. Quæ quāq; ita sunt in promptu, vt res disputatione

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non egeat: sunt tamen à nobis alio loco disputata. Hæ disciplinæ igitur, si sibi consentaneæ esse velint, de officio nihil queant dicere: neq; vlla officij præcepta, firma, stabilia, coniuncta naturæ tradi possunt, nisi aut ab ijs qui solam, aut ab ijs qui maximè honestatem propter se dicant expectendam. Itaque propria est ea præceptio Stoicorum & Academicorum, & Peripateticorum quoniam Aristonis, Pyrrhonis & Herilli iampridem explosa sententia est, qui tamen haberent ius suum disputandi de officio, si rerum aliquè delectū relinquistent, vt ad officij inuentionē aditus esset. Sequemur igitur hoc quidē tempore & in hac questione potissimum Stoicos: non vt interpretes, sed (vt solemus) e fontibus eorum, iudicio, arbitrioq; nostro quantum quoque modo videtur, hauriemus. Placet

be abated by vs in another place. These doctrines then, if they will in themselves accord can say nothing of duty: neyther of duty can there be giuen any precepts, sure, steadfast & with nature agreeable, but by them who maintaine that neyther onely, or chiefly honestie for it selfe is to be embraced. And therfore the teaching thereof properly belongs to the Stoicks, and Academikes, and Peripatetikes, because Aristoes, Pyrrhones & Herillus opinion long since hath bene hist out of the Scholes, who neuerthelesse should haue their lawfull liberty to reason of Duty, if they had lost any choise of things, that to the out-finding of Duetie there might haue bene an entry, we will follow therfore at this season, and in this matter, chiefly the Stoikes, not as a translatour, but as we are accustomed we will draw out of their fountaines, after our owne minde, and iudgement, as much & in such sort as shall seeme good. It lyeth
mij

me then, sithens, all my discourse must be of Duty, to define before what is Duty, which I meruaile, was ouer escaped of Panctius. For euery teaching of any matter, that by an orderly trade is taken in hand, must begin the proesse at a definition, that it may be perceiued, what the thing is, whereof the treating goeth. All the question of duty is two-fold. one kinde there is, that belongs to the end of good: another that standeth in precepts, by the which the trade of life may be fashioned in euery condition.

Of the former kinde such examples there be whether all duties be perfect, or no: whether one Duty be more than another: and such as be of the same sort.

But those Duties, whereof Preceptes be giuen, though they appertain to the end of good, yet the same doth lesse appeare, because they seeme rather to belong to the framing of life: of the which in these Bookes, we

igitur (quoniam disputatio omnis de officio futura est) ante definire quid sit officium: quod à Panætio prætermisum esse miror. Omnis enim, quæ a ratione suscipitur de aliqua re institutio, debet à definitione proficisci: ut intelligatur quid sit de quo disputetur. Omnis de Officio duplex est quæstio. Vnū genus est, quod pertinet ad finem bonorum: alterum quod positum est in præceptis, quibus in omnes partes vñs vitæ confirmari possit. Superioris generis huiusmodi exempla sunt. Omnia ne officia perfecta sint? numquod officium aliud alio maius sit: & quæ sunt generis eiusdem. Quorum autem officiorum præcepta traduntur, ea quamquam pertinent ad finem bonorum, tamen id minus apparet, quia magis ad institutionem vitæ communis spectare videntur: de quibus est nobis his libris explicandum.

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candum. Atque etiam alia diuifio est officiij. Nam et medium quoddam officij dicitur, et perfectum. Perfectum autem officij rectum (opinor) vocemus, quod Græci κατ' ὅρουμα. Hoc autem commune, quod ij καθήκον vocant. Atque ea sic definiunt: vt rectum quod fit, id perfectum officij esse definiant. Medium autem officij id esse dicant, quod cur factum fit, ratio probabilis reddi possit. Triplex igitur est vt Panætius videtur, consilij capiendi deliberatio. Nam honestumne factu sit, an turpe, dubitant, id quod in deliberationem cadit: in quo considerando, sæpe animi in contrarias sententias distrahuntur. Tum autem, aut inquirunt aut consultant ad vitæ commoditatem, iucunditatemque, ad facultates rerum, atque copias, ad opes, ad potentiam, qui-

hane to open our minde. And also there is another diuifion of duty. For there is said to be both a certaine meane dutie and a perfect. I suppose we may call the perfect or the right duty Rectum, which the GREEKES doe term κατ' ὅρουμα, & this meane or common duty Comune, which they call καθήκον. And those they doe thus define, that the same which is Rectum, they define to be the perfect duty; and that they say is the meane duty, for the which a probable reason may be rendered why it is done. Aduifement then in counsell taking is threefold, as seemeth to Panætius. For first men doubt whether that which falleth in aduifement be honest to be done, or dishonest: in weighing wherof many times mens minde is diuersly drawne into contrarie opinions. Next they search and cast whether that wherupon they take aduifement, waile or no to commoditie and pleasantnesse of life, to riches

riches and plenty of goods,
 to power and sway of rule,
 whereby they may help both
 themselues, and theirs, all
 which aduise ment falleth in-
 to the nature of profit. The
 third kinde of doubting is,
 when it that appeareth to be
 profitable, seemeth to strue
 with honestie. For whereas
 profit doeth seeme to draw
 to her, honestie contrariwise,
 to call back to her: it com-
 meth to passe, that the mind
 in aduising is haled to and
 fro, and it bringeth a per-
 plexed study of imagination,
 whereas in diuiding, it is a
 foule fault to leaue out any
 thing, two things bee ouer-
 slipped in this diuision. For
 not onely whether the thing
 be honest or dishonest, is
 vsed to be aduised vpon: but
 also two honest things laide
 before vs, whether is the
 honestest: and likewise two
 profitable things set before
 vs, whether is the more pro-
 fitable. So the way which
 he take to be but threefold,
 is found meete to be diuided
 to three parts. First then we

bus & se possint auare,
 & suos, conducat id nec-
 ne, de quo deliberant,
 quæ deliberatio omnis
 in rationem vtilitatis ca-
 dit. Tertium dubitandi
 genus est, cum pugnare
 videtur cum honesto id,
 quod videtur esse vtile.
 Cum enim vtilitas ad se
 rapere, honestas contra
 reuocare ad se videtur, fit
 vt distrahatur in delibe-
 rando animus, afferatq;
 ancipiem curam cogitan-
 di. Hac in diuisione (cū
 præterire aliquid maxi-
 mum vitium in diuiden-
 do fit) duo prætermissa
 sunt. Nec enim solum v-
 trum honestum, an tur-
 pe sit, deliberari solet:
 sed etiam duobus propo-
 sitis honestis, vtrum ho-
 nestius. Itemque duobus
 propositis vtilibus, v-
 trum vtilius. Ita, quam
 ille triplicem putauit es-
 se rationem: in quinque
 partes distribui debere
 reperitur.

Primum igitur est de

honesto

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honesto, sed dupliciter, tum pari ratione de vtili: post de comparatione eorum differendū Principio generi Animantium omni est a Natura attributum, vt se, vitam, corpusque tueatur, diclinetque ea, quæ nocitura videantur: omniaq; quæ sint ad viuendum necessaria inquirat et pareret, vt pastū, vt latibula, vt alia eiusdem generis. Commune autē animantium omnium est conjunctionis appetitus, procreandi causa, & cura quædam eorum, quæ procreata sunt. Sed inter hominē & belluam hoc maxime interest, quod hæc tantum quantum sensu mouetur, ad id solū quod adest, quodque præsens est se accommodat, paululum admodum sentiens præteritum aut futurum. Homo autem qui rationis est particeps, consequentia cernit, principia, et causas rerum videt, earumq; progressus:

haue to treat of honestie, but that in two sorts, next, as many waies of profit, lastly, of the comparison of the both. From the beginning, to euery kind of liuing creature, it is giuen by nature to defend himselfe, his life, and his body, and auoide those things which may seeme likely to be harmefull, and seeke and get all things that be necessary to liue withall, as feeding, as couerts, as other of the same sort. The appetite also of comming together, for endering sake, and a certaine tenderesse ouer them that be engendered: is a common thing to all liuing Creatures. But between man and beast, this chiefly is the difference, that a beast so farre as he is moued by sense, bendeth himselfe to that only which is present and at hand, very smally perceiuing ought past or to come, but man who is pertaker of reason, wherby he seeth sequels beholdeth grounds & causes of things, is not ignorant of their proceedings, and as

it were their foregoings, compareth semblances, and with things present toyneth and knitteth things to come, doth sone espre the course of his whole life, and to the leading therof purueieth things necessary. And the said nature, thzough the power of reason, winneth man to man, to a fellowship both in talke and also of life, & engendzeth a certain speciall fauor, chiefly to themward that are of them begotten, & stirreth bp the companies of men that they bee willing both to bee assembled together, and also to be seruiceable one to another, and for those causes that they study to puruay such thing as may furnish them for their apparrell, and for sustenance, not onely for themselves, but for their wiues, children, & other, who they hold deare, and ought to defend, which care stirreth bp also mens spirits & makes them of more courage to do their busines: also searching & tracing out of truth is chiefly mans propertie.

& quasi antecessiones non ignorat: similitudines comparat: rebusque presentibus adiungit atque annectit futuras: facile totius vitæ cursum videt, ad eamque degendam præparat res necessarias. Eademque natura vi rationis, hominem conciliat homini & ad orationis, & ad vitæ societatem. Ingeneratque inprimis præcipuū quendam amorem in eos, qui procreati sunt: impellitque, vt hominum cætus & celebrari inter se, & sibi obediri velit: ob easque causas studeat parare ea, quæ suppedient ad cultum, & ad victum, nec sibi soli, sed coniugi, liberis, cæterisque quos charos habeat, tuerique debeat. Quæ cura exsuscitat etiā animos, & maiores ad rem gerendam facit: in primisque hominis est propria veri inquisitio atque inuestigatio.

Itaq;

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Itaq; cum sumus necessarijs negotijs curisque vacui, tum auemus aliquid videre, audire, ac discere, cognitionemque rerum aut occultarum, aut admirabilium ad bene beateque viuendum necessariam ducimus. Ex quo intelligitur, quod verum, simplex, sincerumque sit, id esse naturæ hominis aptissimum. Huic veri videndi cupiditati adiuncta est appetitio quædam principatus: vt nemini parere animus bene a natura informatus velit, nisi precipienti aut docenti, aut utilitatis causa iuste & legitime imperanti, ex quo animi magnitudo ex ilit, humanarumque rerum cōtemptio. Nec verò illa parua vis naturæ est, rationisq;, quod vnum hoc animal sentit quid sit ordo, quid deceat in factis dictisq;, qui sit modus. Itaq; eorum ipsorum, quæ aspectu sentiuntur, nullum aliud animal pulchritu-

Therefore when we be bold of necessary cares and busynesse, then we couet to see, to heare, & to learne somewhat, and we think the knowledge of things eyther hidden or wonderous, very necessary to good and blissefull life, whereof is gathered, that what so is true, simple and pure, is fittest for the nature of man. There is ioyned to this loue of espying the truth a certain desire of soueraintie, so as a well framed mind by nature is willing to obey no man but him that instructeth and teacheth: or him that for cause of his weale, iustly and lawfully gouerneth, wherein standeth the greatnesse of courage, and the contempt of worldly vanities. And that truely is no small power of nature and reason, that this Creature onely perceiues what is order: what it is, that becommeth in dedds & words: and what is measure. And therefore of those same things which be discerned by sight, no other creature perceiueth the

the beautie, the grace, and the proportion of parts, which nature & reason conuaying from the eyes to the minde, doe the more iudge a beautie, a stedfastnesse, & an order in counsells and deedes fit to be obserued, & is hād- full that it doe nothing vncomely or womannishly, and thereto both in all thoughts and deedes, that nothing wantonly either it doe or imagine. Of which things is forged, and made that honestie that we seeke: which though it bee not aduanced, yet honestie it is, and we truely say though of no man it bee commended, yet it is commendable by Nature: *Pou sē, sonne Marke, the very forme doubtlesse, and (as it were) the face of honestie, which in case it might be beholden with the eyes, would stirre vp (as saith Plato) a meruailous loue of Wisdom.*

But all that is honest springeth out of some one of the foure braunches. For it is occupied eyther in the

dinem, venustatem, conuenientiam partiū sentit, quam similitudinem naturae ratioq; ab oculis ad animū transferens multo etiam magis pulchritudinem, constantiam, ordinē in consilijs, factisq; conseruandum putat: cauetq; ne quid indecorē effeminatēve faciat, tum in omnibus et opinionibus & factis ne quid libidinosē aut faciat, aut cōgitet. Quibus ex rebus conflatur, et efficitur id quod quærimus honestum, quod etiam si nobilitatum non sit, tamen honestum sit: quodq; verē dicimus, etiam si a nullo laudetur, laudabile esse Natura. Formā quidē ipsam, Marce fili, & tanquā faciē honestatis vides, quæ si oculis cerneretur, mirabilē amorē (vt ait Plato) excitaret sapientiē.

Sed omne quod honestū est, id quatuor partium oritur ex aliqua. Aut enim in perspicientia veri solertiāq;

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solertiāq; versatur, aut in hominū societate tuenda tribuendōq; quod suum est, cuiq; & rerū contrāctarū fide: aut in animi excelsi, atq; inuicti magnitudine, ac robore, aut in omniū quę fiunt, quęque dicuntur, ordine & modo, in quo inest modestia & temperantia. Quę quatuor quāquam inter se colligata, atq; implicata sunt: tamen ex singulis certa officiorum genera nascuntur, velut ex ea parte quę prima descripta est (in qua sapientiā & prudentiā ponimus) inest indagatio atq; inuentio veri: eiusq; virtutis hoc munus est propriū. Vt enim quisq; maximē pspicit, quid in re quāq; verissimum sit, quique accuratissimē & celerimē potest & videre & explicare rationem, is prudentissimus & sapientissimus ritē haberi solet. Quocirca, huic quasi materia quam tractet, & in qua versetur,

insight of truth and skilfulness, or in preserving the fellowship of men, and giuing euery body his pown, and keeping a faithfulness in contracts, or in the greatnesse & and mightines of hautie and vnconquerable courage: or else in the order and measure of all things that are done and saide, wherein resteth discretion and temperance. Which foure though they be linked and tangled together, yet certaine seuerall kindes of duties doe grow but of euery one of them as out of the bzanh, the first was describen (wherein we place Wisedome and Prudence) issues the searching and trying out of truth: and this is the very proper work of that vertue. For who so thzough seeth most, what in euery case is truest: and who most wittely and readily is able both to see and giue the reason: he worthely is wont to be reputed the wittiest, and the wisest, wherefore to this vertue truth is appointed, as the matter wherbyon
to

to worke, & wherein to be occupied: but to the other three are assigned necessities to get and keepe those things whereby the trade of mans life is maintayned: to the intent the fellowshippe and neighbourhoope of men be preserved, and the worthinesse and greatnesse of courage may shine abroad, not onely in augmenting of substance, & procuring of commodities both to him and to his, but also much more in despising of the same. But order and stedfastnesse, and measure keeping, & such like, haue to doe in that kinde: whereunto must be ioyned a certaine doing, & not only an earnest occupping of the wit. For aplying a certain mean & order to such things as be medled within mans life, we shall obserue both honesty & comelinesse.

Now of those foure places, whereunto we haue diuided the nature and strength of honesty, the same first that consisteth in knowledge of truth, toucheth mans kinde

subiecta est veritas: Reliquis autem tribus necessitates propositae sunt ad res parandas, tuendasque, quibus actio vitae continetur, vt & societas hominum, coniunctioque seruetur, & animi excellentia magnitudoque, cum in augendis opibus, vtilitatibusque, & sibi & suis comperandis, tum multo magis in his ipsis dispiciendis eluceat. Ordo autem et constantia, & moderatio, et ea quae sunt his similia, versantur in eo genere, ad quod adhibenda est quaedam actio non solum metis agitatio. His enim rebus, quae tractantur in vita, modum quendam adhibentes & ordinem, honestate & decus conseruabimus.

Ex quatuor autem locis, in quos honesti naturam, vimque diuisimus, primus ille, qui in veri cognitione consistit, maxime naturam attingit humanam. Omnes enim trahimur

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trahimur, et ducimur ad cognitionis, et scientiæ cupiditatem : in qua excellere pulchrum putamus : labi autem errare, nescire, decipi, et malum & turpe ducimus. In hoc genere & naturali et honesto duo vitia vitanda sunt : vnum ne incognita pro cognitis habeamus, hisque temerè assentiamur, quod vitium effugere qui velint (omnes autem velle debent, adhibebit ad considerandas res, et tempus & diligentiam. Alterum est vitium, quòd quidam nimis magnum studium, multamque operam in res obscuras, atque difficiles conferunt, easdemque non necessarias. Quibus Vitijs declinatis, quod in rebus honestis & cognitione dignis operæ curæque ponetur, id in re laudabitur, vt in Astrologia, Caium Sulpitium audiuius : in Geometria, Sextum Pompeium ipse cognouimus :

nearest of all. For we be all drawne and led to a desire of knowledge, & science, wherewith to passe other, we think it a goodly matter: but to slide, to erre, to be ignorant, to be deceiued, we count it both euill and dishonest. In this kind of vertue which is both naturall & honest: two faults must be auoided : one that we take not things we know not, as though wee knew them, and rashly assent to them, which fault who so wil eschew (and all ought to be willing) must inploy to the considering of matters both leasure and diligence. Another fault there is, that some bestow ouer great study and too much traualle, in darke & difficult things, & the same nothing necessary, which faults auoyded, whatsoeuer labour & diligence, shall bee spent in honest things, & worthy of knowledge, the same of right shal be comended as in Astrology, we haue heard what Caius Sulpitius was: in Geometrie, wee knew what Sextus Pompeius could doe,
many

many in Logick, moe in the
ciuill Law, which sciences
be all occupped in tracing
out the truth, with the study
whereof to be drawne from
trauailing in matters; it is
against duety. For vertues
whole praise consisteth in do-
ing, fro which yet oftentimes
there is had a resting while,
& there be graunted many re-
courses againe vnto study,
yea, & the musting of the mind
that neuer cealeth, may con-
tinue vs in the studies of co-
templation, euen without
our trauaille. But let euery
thought and mouing of the
minde be occupied eyther in
taking of aduise ment about
honest matters, and pertay-
ning to the good and blisseful
life, or else in studies of sci-
ence & knowledge. And thus
haue we spoken of the first
fountain of duty.

But of the other three ver-
tues remaining, that kinde
extendeth farthest, wherein
is contained the fellowship
of men amontg themselves, &
(as it were) the interparing
of mans life. Wherof there

multos in Dialecticis
plures in iure ciuili: quæ
omnes artes in veri in-
uestigatione versantur,
cuius studio a rebus a-
gendis abduci, contra
officium est. Virtutis e-
nim laus omnis in acti-
one consistit; à qua ta-
men sæpe fit intermis-
sio, multiq̃ue dantur ad
studia reditus: tūm agi-
tatio mentis, quæ nun-
quam acquiescit, potest
nos in studijs cognitio-
nis, etiam sine opera no-
stra continere. Omnis
autem cogitatio motusq̃;
animi, aut in consilijs
capiendis de rebus ho-
nestis, & pertinentibus
ad bene beateq̃ue viuē-
dum, aut in studijs sciē-
tiæ, cognitionisq̃; versa-
bitur. Ac de primo qui-
dem officij fonte dixi-
mus.

De tribus autem reli-
quis latissimè patet ea ra-
tio, quā societas homi-
num inter ipsos, vt vi-
tæ quasi communitas
continetur. Cuius partes
duæ

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duz sunt: Iustitia, in qua
Virtutis splendor est
maximus, ex qua boni
viri nominantur: & huic
coniuncta beneficia, quā
eandem vel benignita-
tem, vel liberalitatem
appellare licet. Sed ius-
titia pimum munus est,
vt nē cui quis noceat,
nisi laceffitus iniuria;
deindē, vt communi-
bus pro communibus
vtatur, priuatis autem
vt suis. Sunt autem
priuata nulla natura, sed
aut veteri occupatione,
vt qui quondam in va-
cua venerunt, aut vi-
ctoria, vt qui bello po-
siti sunt: aut lege, pa-
ctiōe, conditione, sor-
te. Ex quo fit vt ager
Arpinas, Arpinatium di-
catur: Tusculanus Tus-
culanorum. Similibus-
que est priuatarum pos-
sessionum descriptio.

Ex quo, quia suum cu-
iusq; fit eorum, quæ na-
tura fuerant communia,
quod cuique obigit, id
quisq; teneat. Eo si quis

bee two parts: Justice is
one, in the which is the grea-
test brightnesse of vertue,
wherof good men beare their
name, and to this is toynd
hoūtifulnes, which same wee
may terme epyther gentlenes,
or liberalitie. But the prin-
cipall dutie of iustice is, that
no man hurt another, vnlesse
he be prouoked by wꝛōg: the
next, that he vse things com-
mon, as common, & things
priuate, as his owne. How-
beit, by nature things pri-
uate be none, but epyther by
ancient possessiō, as of theirs
who in old time came into
wast grounds, or by victoꝝ,
as of theirs who got things
in war, or by law, couenant,
condition, or lot. Whereof it
comes to passe, & the ground
Arpinas is counted the Ar-
pinatians: the ground Tus-
culan the Tusculaniās. And
after this sort is the point-
ing out of priuate possessiōs.

Wherevpon seeing there
is made a mans owne of eue-
ry one of those things which
by nature were common, let
every one intoy that to every
one

one is befallen. More then that, if any man will couet to himselfe, he shall breake the law of mans fellowship. But because (as is notably written of Plato) we be bozne not for our selues alone, but some deale of our birth our country, some deale our parents, some deale our friends doe claime, & (as liketh the Stoicks) whatsoeuer is bred vpon earth, all to the vse of man is created, but man for mans own cause is begotten, that they among themselves one may help another: here in we be bound to follow nature our leader, and to set abroad that may serue for common commodities, by interchange of duties, in giuing and taking, and also by arts, by trauell, by riches, to knit the fellowship of man with man.

But faithfulness is the foundation of iustice, which is in word and couenant, a truth & steadfastnes wherupon though this shall seeme to some perchance ouerhard, yet let vs be bold to follow

sibi plus appetet, violabilis humanæ societatis. Sed quoniam (vt præclarè scriptum est à Platone) non nobis solum nati sumus: ortusq; nostri partem patriæ vendicat, partem parentes, partem amici, atque (vt placet Stoicis) quæ in terris gignuntur, ad vsum hominum omnia creari, homines autem hominum causa esse generatos, vt ipsi inter se alij alijs prodessent: in hoc naturam ducem debemus sequi, & communes utilitates in medium afferre mutatione officiorum, dando, accipiendoque, tum artibus, tum opera, tum facultatibus deuincere hominum inter homines societatem.

Fundamentum autem iustitiæ est fides, id est dictorum, conuentorūque constantia et veritas, ex quo, quamquam hoc videbitur fortasse cupiam durius, tamen audeamus

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audéamus imitari Stoicos, qui studiose exquisiunt vnde verba sint dicta, credamusque quia fiat quod dictum est, appellatam fidem.

Sed iniustitiæ duo genera sunt: vnum, eorum qui inferunt: alterum eorum, qui ab ijs, quibus infertur, si possint, non propulsant iniuriam. Nam qui iniuste impetum in quempiam facit aut ira, aut aliqua perturbatione incitatus, is quasi manus violenter videtur afferre socio: qui autem non defendit, nec obstitit, si potest, iniuriæ, tam est in vitio, quàm si parentes, aut amicos, aut patriam deserat.

Atque illæ quidem iniuriæ, quæ nocendi causa de industria inferuntur, sæpe à metu proficiuntur cum is qui alteri nocere cogitat, timet, ne, nisi ad alteri fecerit, ipse aliquo afficiatur incommodo. Maximam autem partem ad iniuriam faci-

the Stoicks, which heedfully search out from whence words be fetched, and let vs thinke that it is called faithfulness, because it is fulfilled which was spoken.

Contrariwise there be two kindes of iniustice. One of such as offer it: another, of those who though they be able, doe not defend wrong from them to whom it is offered. For who so vniustly doth make assault vpon any man, either stirred by choler or any passion, he seemeth as with violence to kill his fellow, and who so defendeth not, notwithstanding iniury if he be able, is as far in fault as if he should forsake his parents, his friends, or his Country.

And indeede those iniuries that are done of purpose to hurt, doe oftentimes arise of feare, when hee who intendeth to hurt another, is afraid that vlesse hee doe it to the other, hee may himselfe be touched with some discommoditie. And for the most part many men take occasion to

to do wrong, of intent to cō-
 passe thole things that they
 haue coueted: in which kind
 of vice, couetousnesse most
 largely sheweth her selfe.
 Notwithstanding riches be
 coueted both for necessary
 vles of the life, & also to in-
 crease pleasure. But in those in
 whom there is a greater
 courage, coueting of money
 hath an eye to power, and a-
 blenesse of pleasuring, as of
 late Marcus Crassus denyed
 any substance to be great e-
 nough for him that in a com-
 mon weale wold be a prince:
 while he was not able with
 his reuenuē to maintaine an
 armie. Sumptuous furni-
 tures doe also delight, and
 countenance of life, with
 finenesse and plentie. By
 which meanes it is come to
 passe, that endlesse is the de-
 sire of riches. And truly the
 enlargement of a mans pri-
 uate goods hurtful to no bo-
 dy is not to be dispraised:
 but euermore iniury is to be
 thumbed. But the most part
 of men chiefly be brought
 to forget iustice, when they
 endā aggrediuntur non-
 nulli, vt adipiscantur ea,
 quæ concupiuerunt: in
 quo vitio latissime patet
 auaritia. Expetuntur au-
 tem diuitiæ, tum ad v-
 sus vitæ necessarios, tum
 ad perfruendas volupta-
 tes. In quibus autem ma-
 ior est animus, in ijs pe-
 cuniæ cupiditas spectat
 ad opes, et ad glorifican-
 di facultatem, vt nuper
 M. Crassus negabat vl-
 lam satis magnam pecu-
 niam esse ei, qui in re-
 pub. Princeps vellet ef-
 fectus, cuius fructibus ex-
 ercitus alere non pos-
 set. Delectant etiam
 magnificij apparatus,
 vitæque cultus, cum e-
 legancia & copia. Qui-
 bus rebus effectum est,
 vt infinita pecuniæ cu-
 piditas esset. Nec verò
 rei familiaris amplifica-
 tio nemini nocens vitu-
 peranda est, sed fugien-
 da semper iniuria. Max-
 imè autem adducuntur
 plerique, vt eos iustitia
 capiat obliuio, cum in
 C 3 imperi-

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imperatorum, honorum, gloriæ cupiditate inciderint. Quod enim apud Ennium est. Nulla sancta societas nec fides Regni est, id latius patet. Nam quicquid eiusmodi est in quo non possint plures excellere, in eo plerumque sit tanta contentio, ut difficilimum sit sanctam seruare societatem. Declarauit id modo temeritas, C. Cæsaris, qui omnia iura diuina & humana peruerit, propter eumque sibi ipse opinionis errore finxerat, principatu. Est autem in hoc genere molestum, quod in maximis animis, splendidi, didissimi, & ingenijs, plerumque existit honoris, imperij, potestatis, gloriæ cupiditates. Quo magis cauendum est, ne quid in eo genere peccetur.

Sed in omni iniustitia permixtum interest utrum perturbatione aliqua animi, quæ plerumque brevis est, & ad tempus, an consulto & cogitato fiat

fall into the desire of rule, honor, or glory. For that which is in Ennius. (In Empire is no Godly fellowship nor Faith) reacheth farther. For whatsoever is of such sort, wherein many cannot be chief, therein commonly happeneth so great contention, that very hard it is to keepe a godly societie. The stoyme of Caius Cæsar declared that of late, who turned topsyturvie all the Lawes of God and man, for that soueraignties sake, which hee to himselfe, and by the error of his owne conceit had imagined. And in this kinde it is a griefeful case that desires of honour, rule, power, and glory be commonly in the greatest courages, and goodliest wits. Wherefore the more heed must be taken, that we offend nothing in that behalfe.

But there is a great diuersitie in all iniustice, whether the wrong be done of any stur of the minde, which commonly is but short, and for a season, or else of purpose

pose and aduisedly. For the harmes bee easier, that befall of some sodaine mowe, then such as bee done being deuised and prepared for. And thus we haue said inough of doing iniurie.

But there are wont to bee many causes why wee refuse to defend another, and doe leaue our dutie. For men bee vnwilling to take vpon them either displeasure or trauaile, or charges, or else they bee so giuen to negligence, slothfulnesse, idlenes, priuate studies, or certaine businesse, that they suffer them to bee helpless, whom they ought to saue harmeles. Wherefore wee must looke least it bee not sufficient that is spoken of Plato touching the Philosophers, that therefore they be iust, because they be occupied in tracing out truth, and because they despise and set at naught such things as the most part of men greedely desire, and among themselves are wont to bee at daggers drawing for the same. For while they

iniuria. Leuiores enim sunt ea, quę repentino aliquo motu accidunt, quę ea quę meditata & preparata inferuntur. Ac de inferenda quidem iniuria satis est dictum.

Prætermittendę autem defensionis, deserendi quę officij plures solent esse causę. Nam aut inimicitias aut laborem, aut sumptus suscipere nolunt, aut etiam negligentia, pigritia, inertia, aut suis studijs, quibusdamuē occupati- onibus sic impediuntur, ut eos, quos tutari debeant, desertos esse patiantur. Itaque videndum est, ne non satis sit id, quod apud Platonem est in philosophos dictu: quod in veri investigatione versentur, quod quę ea, quę plerique vehementer expetunt, de quibus quibus inter se digladiari soleant, contemnant, & pro nihilo ducant, propterea iustos esse. Nam dum alterum iustitias

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genus assequuntur, in inferenda, nè cui nocent iniuria, in alterum incidunt. Discendi enim studio impediti, quos tueri debent deserunt. Itaque eos ad Rempublicam ne accessuros quidem putat, nisi coactos. *Aequius* autem erat id voluntate fieri, nam hoc ipsum ita iustum est, quod rectè fit, si est voluntarium. Sunt etiam qui aut studio rei familiaris tuendæ, aut odio quodam hominum suum se negotium agere dicant, ne facere cuiquam videantur iniuriam, qui dum altero iniustitiæ genere vacant, in alterum incurrunt: Deserunt enim vitæ societatem, quia nihil conferunt in eam studij, nihil operæ, nihil facultatam. Quoniam igitur duobus generibus iniustitiæ propositis adiunximus causas utriusque generis, easque res ante constituimus,

attaine one kinde of iustice, that they hurt no man with doing of iniurie, they fall in to the other. For being letted with the studie of learning, they forsake them, whõ they ought to defend. And therefore hēe thinkes they would not enter into the common weale, were they not compelled. But it were more reason, that voluntarily it should be done, for what so is rightly done, the same thereby is iust, if it bee voluntarie. There be also who either for loue of sauing their substance, or a certaine hatred to men, doe say, that they meddle onely with their own matters, least they may seeme to do any body wrong, who while they be void of one kinde of iniustice, doe run into the other. For they forsake the fellowship of life, because they bestow no studie no labour, nor substance vpon it. Seeing then after the declaring of the two kindes of iniustice, we haue thereto ioyned the causes of eyther kinde, and haue set out those things

things afoze wherein iustice is contained, we may easly iudge what is the dutie of euerie season, except we fauor our selues too far. For it is hard to haue a carefulnes ouer other mens matters, although the same Chremes in Terence counteth nothing straunge to him of ought that pertaines to man.

Nevertheless, because we perceiue & feele those things moze that doe happen to our selues, eyther luckely or vnfortunately, then such as befall to other, which (as y^e would say) we behold a great way off, we iudge otherwise of them then of our selues, Therefore they teach well, that forbid to doe anything which y^e doubt, whether it be right or wrong. For the very right shineth of it selfe, but doubting declares an imagination of wrong. But often there befall seasons, that those duties which seem to be most meete for a iust man, and him whom we call a good man, be changed and become contrarious, so that

quibus iustitia continetur: facile quod cuiusq; temporis officiū sit, poterimus nisi nosmetipsos valdè amabimus, iudicare. Est enim difficilis cura rerum alienarū, quamquam Terentianus ille Chremes, humani nihil à se alienū putat.

Sed tamen quia magis ea percipimus atq; sentimus, quæ nobis ipsis aut prospera, aut aduersa eueniunt, quàm illa, quæ cæteris, quæ quasi longo interuallo interiecto vidimus, aliter de illis, ac de nobis iudicamus. Quocirca benè præcipiunt, qui vetant quidquā agere quod dubites æquum sit an iniquum. Æquitas enim lucet ipsa per se, dubitatio autem cogitationem significat iniuriæ. Sed incidunt sæpe tempora, cum ea, quæ maximè videntur digna esse iusto homine, eoq; quem virum bonū dicimus, commutatur, fiuntq; contraria,

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ut non reddere depositum, etiam nē furioso promissum facere, quāq; pertinent ad veritatem et ad fidem, ea negare interdum, & non seruare sit iustum. Referri enim decet ad ea, quę posui in principio fundamenta iustitię: primū vt nē cui noceatur: deinde, vt communi vtilitati seruiatur. Ea cū tempore commutantur, commutatur officium: vt nō semper sit idem. Potest enim accedere promissum aliquod, & conuentum, vt id effici sit utile, vel ei, cui promissum sit, & cui non promiserit. Nam si (vt in Fabulis est) Neptunus, quod Theseo promiserat, non fecisset, Theseus filio Hippolito non esset orbatus. Ex tribus enim optatis (vt scribitur) hoc erat tertium, quod de Hippoliti interitu iratus optauit, quo impetrato, in maximos luctus incidit. Nec promissa

sometime it is iust not to re-
store that is laid to keepe, al-
so not to perforce promise
with a mad man, and to deny
those things which concerne
ones truth and honesty. For
it is mēte they be inferred to
those foundations of iustice
which I laid in the beginninge:
First, that no man be hurt:
next, that common profit bee
serued, when these be chan-
ged by time, changed is due-
ty, that it remaines not al-
wayes alike. For there may
chance some promise and co-
uenant, that may bee unpro-
fitable to bee performed ey-
ther to him, to whom it is
promised: or else to him that
promised it. For (as it is in
the fables) if Neptunus had
not done that to Theseus hee
promised, Theseus had not
bene bereft of his son Hip-
politus. For of the three things
(as it is written) that was
the third, which in his fury
he asked for the death of
Hippolitus: and when he had
obtained it he fell into heauy
waylings. Therefore neither
those promises are to be ful-
filled

filled, which are vnprofitable to them, to whom you made them: nor if they hurt you more then they profit him, whom you promised. It is against duty, the greater harme to be rather admitted then the lesse: as if you haue appointed your selfe, with any man to come as his counsellor, in his matter that is in hand, and in the mean season your son begins to fall sore sick, let it not be reckoned against duty, not to perform that ye promised: yea, & hee more should swaue from duty, to whom the promise was made, if he would complaine himselfe to be disappointed. Now who seeth not & it is not meet to stand to those promises which a man hath promised, being constrained with feare, or deluded with guile? which things for the most part be discharged by the Prætors court, and many of them by statute.

Wrongs also oftentimes do rise vpon a certaine cauillation, and ouer crafty & subtile misconstruing of the law,

igitur seruanda sunt ea, quæ sint ijs quibus promiseris inuitilia: nec si plus tibi noceant, quam illi prosint, cui promiseris. Contra officium est, maius damnum anteponi minori: vt, si constitueris te cupiam aduocatum in rem præsentem esse venturum; atque interim, grauitè ægrotare filius cœperit, non sit contra officium, non facere quod dixeris. Magisque ille, cui promissum sit, ab officio discedat, si se destitutum queratur. Iam illis promissis non standum esse quis non videt, quæ coactus quis metu, aut deceptus dolo promiserit? quæ quidem pleraque iure Prætorio liberantur, nonnulla legibus.

Existunt etiam sæpe iniuriæ calumnia quadam, & nimis calida, & malitiosa Iuris interpretatione. Ex quo illud,

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Summum ius, summa iniuria, factum est iam primum sermone prouerbium. Quo in genere, etiam in Repub. multa peccantur: vt ille, qui cum centum triginta dierum essent cum hoste pactæ, induciæ, noctu populabatur agros, quod dierum essent pactæ non noctium induciæ. Nec noster quidem probandus est, si verum est Quintum Fabium Labeonem, seu quem alium (nihil enim præter auditum habeo) arbitrum Nolanis & Neopolitanis de finibus agri à Senatu datum: cum ad locum venisset, cum vtrisque separatim loquutum, vt ne cupidè quid agerent, nec appeterent, atque vt regredi quàm progredi mallent. Id cum vtrique fecissent, aliquantum agri in medio relictum est. Itaque illorum fines, sicut ipsi dixerant, terminauit, in

whereupon that saying. *Extream law, extreme wrong,* is now made a well worne *Prouerbe in communication.* In which kinde many things be done amisse even in in the common weales matters, as hee who when the truce was taken with the enim for 130. daies, ouerran his land in the night, because the truce was taken for daies, and not for nights. No nor yet our Countryman is to be allowed (if it be true) that Quintus Fabius Labeo, or any other man (for I haue nothing but by heard say) being by the Senate appointed da sman to the Nolanes & Neapolitanes, about the bounds of their lands, did commune with eyther of the a part, when hee came to the place that they should not do nor couet any thing greedely, and that rather they would set back, then inchoch vpon each other, which when eyther of them had so done, there was a parcell of ground left in the midst. And so hee caused their bounds to be staked

Straked out, euen as they had told him, the residue was in the midst he adiudged to the people of Rome. This plainly is to deceiue, & not to iudge. wherefore such wilinesse in euery case is to be annoyded.

There be certaine duties also to be obserued: euen toward the of whom you haue receiued wrong. For in reuenge and chastisement ther is a measure to be vsed. And I wot not whether it be sufficient for him that began to repent him of the wrong: but that he be punished, that hee commit not the like offence againe, & that other also may be the slower to doe wrong. And the law of arms must in any wise be kept in the common weale. For where as there be two kindes of contention, one by reasoning another by violence, & the first is the property of man, the second of beasts, we must flie to the latter, if we may not vse the former. Wherefore to this end & purpose we must enter in warre, that without iniurie we may liue in peace,

medio relictum quod erat populo Romano adiudicauit. Decipere hoc quidem, non iudicare est. Quo circa in omni re fugienda est talis solertia.

Sunt autem quaedam officia etiam aduersus eos seruanda, à quibus iniuriam acceperis. Est enim vliscendi & puniendi modus. Atq; haud scio, an satis sit eum, qui lacerauerit, iniuriæ suæ pœnitere, vt & ipse ne quid tale posthac committat, & cæteri sint ad iniuriam tardiores. Atque in Repub. maxime conseruanda sunt iura belli. Nam cum sint duo genera decertandi: vnum per disceptationem, alterum per vim, cumque illud proprium sit hominis, hoc belluarum, confugiendum est ad posterius, si vti non licet superiore. Quare suscipienda quidem bella sunt ob eam causam, vt sine iniuria in pace viuatur

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tur, parta autem victoria
conseruandi sunt ij, qui
non crudeles in bello,
nec immanes fuerunt:
vt maiores nostri Tus-
culanos, Equos, Vols-
cos, Sabinos, Hernicos,
in ciuitatem etiam acce-
perunt: at Carthaginem
& Numantiam funditus
sustulerunt. Nollē Co-
rinthum sed credo illos
secutos opportunitatem
loci, maximē ne posset
aliquando ad bellum fa-
ciendum locus ipse ad-
hortari. Mea quidem
sententia, paci, quę nihil
habitura sit insidiarum,
semper est consulendū.
In quo si mihi obtem-
peratum esset: etsi non
optimam, at aliquam
Remp. (quę nunc nul-
la est) haberemus. Et
cū ijs, quos vi deuice-
ris, consulendū est: tum
ij, qui armis positis ad
imperatorū fidem con-
fugiunt (quamuis mu-
rum Aries percusserit)
recipiendi sunt. In quo
tantopere apud nostros

and when the victorie is got-
ten, they must be saued, who
haue not ben cruell nor vn-
mercifull in fight, as our an-
cesters euen into the city re-
ceiued the Tuscullanes, the
Equianes, the Voliscianes,
the Sabines, and the Her-
nicks, but they bitterly razed
Carthage & Numance. Co-
rinth I would they had not,
but I beleue they chiefly re-
spected the situation, least
very place might encourage
them, at any time to moue
war. After my minde, certes,
it is more alwayes to giue
counsell to peace, than shall
haue in it no fraud, nor guile
Wherein if men had agreed
to me, we should haue had,
although not the best, yet
some common weale, which
now is none. And not onely
for them ye must prouide,
whom by force you haue sub-
dued, but they also who come
in with yielded weapon, vpon
affiance in the Captaine
(although the Ramme hath
battered the wall) are to be
receiued. In which point
Justice hath ben so greatly
regarde d

regarded with our men, that they who had taken cities to mercy, or Nations conquered in warre, should be their patrones, by the custome of our ancestors. And the Justice of the war is most sincerely described, in the feciall law of the people of Rome.

Wherby it may be perceiued, that no warre is iust, but which epyther for things in claim is moued, or is proclaimed befoze, and bidden by defiance. Pompilius the Romaines generall kept a prouince, in whose army, Catones sonne went for a young souldier a warfare. And when he liked Pompilius to discharge one legion, he discharged Catons sonne also, who serued in that Legion as a souldier. But when hee for loue of the wars, remained in the camp still, Cato did write to Pompilius, that if he would suffer him to remaine in the army, he should sweare him souldier againe, because hee might not lawfully fight with the enimie, the former oath being discharged. So

instituta culta est, vt ij, que ciuitates aut nationes deuictas bello, in fidem recipissent, earum patroni essent more maiorum. Ac belli quidem æquitas sanctissimè feciali populi Romani iure perscripta est.

Ex quò intellegi potest, nullum bellum esse iustum, nisi quod aut rebus repetitis geratur, aut denuntiatum antè sit, & indictum. Pompilius imperator tenebat prouintiam, in cuius exercitu Catonis filius Tiro militabat. Cum autem Pompilio videretur vnam dimittere legionem: Catonis quoque filium qui in eadem legione militabat, dimisit. Sed cum amore pugnandi, in exercitu remansisset. Cato ad Pompilium scripsit, vt si eum pateretur in exercitu remanere, secundo eum obligaret militiæ sacramento: quia priore amisso, iure pugnare cum hostibus non potera

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poterat. Adeò summa erat obleruatio in bello mouendo. Marci quidē Catonis senis est Epistola, ad Marcum filium in qua scripsit se audisse eum dimissum factū esse a Consule, cū in Macedonia bello perfico miles esset. Monet igitur, vt ceteat ne prehumineat. Negat enim itis esse; qui miles non sit, pugnare cum hoste. Equidem illud etiam animaduerto; quòd qui proprio nomine Perduellis esset, is hostis vocaretur, lenitate verbi tristitiam rei mitigante. Hostis enim apud maiores nostros is dicebatur, quem nunc peregrinum dicimus. Indicāt xij. tabulæ. Aut status dies cum Hoste. Itemque, Aduersus hostem æterna auctoritas. Quid ad hanc mansuetudinem addi potest? cum qui cum bellum geras, tam molli nomine appellari, quamquam id nomen

passing great regard they had in making their warres. There is a Letter abroad of Marcus Cato the old man, to Marcus his son, wherein he wrote that he heard he was discharged by the consul, being a souldier in Macedony, at the Persian warres. He warnes him therefore to beware, that he enter not the battaile: for he denreth that it is lawfull for him, that is no souldier, to fight with the enimie. And this also I note that he which by his proper name was Perduellis, that is to say an open enimie, was called Hostis, the mildnes of the word asswaging the harshnesse of the thing. For he was called Hostis, with our auncesters, whom now we name Peregrinus, a Stranger. That the twelue Tables declare, Aut status dies cum hoste: and againe: Aduersus hostem æterna auctoritas. What may ther be added to this kinde of gentlenesse? to cal him by so faire a name, with whom you make war: notwithstanding procelle of time

time maketh the name now
more odious, for it is gone
from the signification of Pe-
tegrinus, that is, a stranger, &
properly it stands for him
that beareth armour against
one, but when there is fight-
ing for Empire, and glory is
sought by war, yet it beho-
ueth alwayes, that the very
same causes be therein, which
I declared a little before to
be the iust causes of warre.
But these wars are not so
cruelly to be made, which be
purposed for the glory of
Empire. For as when we
strive in the Citie, we doe o-
therwise if one be our enemy,
otherwise, if he be but suter
against vs, for with the one
the strife is for honor & dig-
nitie, with the other for life &
honesty: euen so warre was
holden with the Celtibers, &
with the Timbers, as with
our enemies, whether should
liue, and not whether should
rule, but wth the Latines, the
Sabines, the Samnites, the
Penes, & with Pyrrhus, the
fight was about Empire &
dominion. The Penes were

durius iam effecit ve-
tustas: à Peregrino e-
nim recessit, & proprie
in eo, qui contraria fer-
ret arma, remansit:
Cum verò de imperio
decertatur, belloq; que-
ritur gloria, causas om-
nino subesse tamen o-
portet easdem, quas dixi
paulò ante iustas cau-
sas esse bellorum: sed
ea bella quibus imperij
gloria proposita est,
minus acerbè gerenda
sunt. Vt enim cum ciui-
liter contendimus, ali-
ter, si est inimicus, ali-
ter si competitor, cum
altero certamen hono-
ris, & dignitatis est,
cum altero capitis &
famæ: Sic cum Celte-
biris, eum Cimbris bel-
lum, vt cum inimicis
gerebatur, vter esset,
non vter imperaret.
Cum Latinis, Sabinis,
Samnitibus, Pœnis, &
Pyrrho, de imperio di-
micabatur. Pœni scdi-
fragi, crudelis Annibal,
reliqui iustiores, Pyrrhi
D quidem

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quidem de captiuis red-
dendis illa præclara sen-
tentia est.

Nec mi aurum posco,
nec mi pretium dederitis
Nec cauponantes bellū
sed belligerantes.

Ferro, non auro vitam
cernamus vtriq; (re hera
vosne velit, an me regna
quid ve ferat fors.

Virtute experiamur: &
hoc simul accipe dictum
Quorum virtuti belli
fortuna pepercit,
Eorundem me libertati
parcere certum est.

Dono ducite, doq; volē
cum magnis dijs. (tibus.

Regalis sanē & dig-
na /i acidarum genere
sententia. Atque etiam
si quid singuli tempo-
ribus adducti hosti pro-
miserint, est in eo ipso
fides conseruanda, vt
primo Punico bello Re-
gulus capus à Pœnis:
cum de captiuis com-

league breakers. Annibal was
cruell, the rest were iuster
men. That is a noble saying
doubtlesse of Pyrrhus about
the restoring of Prisoners.

No gold doe I craue,
no price offer me:

No hucklers of warre,
warre men as we be:

With dint for our life,
fight we not with gold:

Whether you to raigne,
or me the Lady would.

Chaunce try we by force,
this and were eke bare:

Whose manhood the hap,
of battell will spare.

Their freedome I purpose,
to fauour also:

Then giue I, them take,
the Gods will it so.

I princely saying forsooth,
& well becoming the image
of the Acidens. Likewise if
private men driuen by occa-
sions, shall promise ought to
the enimie, they must keepe
their promise therein. As
Regulus did, that was taken
of the Carthagenians in the
first Punike warres: who
when

when he was sent to Rome, about the enterchanging of prisoners, & had sworn that he would returne: first, as soone as he came, his advise was in the Senate house, that the prisoners should not be restored, after ward when he should haue bene stopped of his kinsfolk and friends: he was more willing to returne to punishment, then to breake his promise made to the enimie. And in the second Punick wars, after Cannas field, the Censors celled at a pearly fine all those ten (as long as any of the lived that tarped still, & were forsworne) which Annibal sent to Rome, vpon their oath, that they should returne except they obtained the ransomning of those that were prisoners there, and no lesse they celled him, which for deceiuing of his oath had deuised an excuse. For when by Annibals licence vpon his oath to returne, he was gone without the campe, he returned within a little while after making his excuse, & he

mutandis Romam missus esset, iurassetque se rediturum: primum venit, captiuos reddendos in Senatu non censuit: Deinde cum retinetur à propinquis, & ab amicis: ad supplicium redire maluit, quam suam fidem hosti datam fallere.

Secundo autem Punico bello, post Cannensem pugnam, quos decem Annibal Romam adstrictos misit iureiurando se redituros esse, nisi de redemendis ijs qui capti erant, impetrassent: eos omnes Censores (quoad quisque eorum vixit) qui petierassent, in ærarijs reliquerunt nec minus illum, qui iurandi fraude culpam inueherat. Cum enim Annibalis permissu exisset decastis, redijt paulò post, quod se oblitum nescio quid diceret. Deinde, egressus è Castris, iureiurando se solum pu-

tabat

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tabat : et erat verbis, re non erat. Semper autem in fide quid sentiamus, non quid dixeris, cogitandum. Maximum autem exemplum est iustitiæ in hostem, à maioribus nostris constitutum. Cum à Pyrrho perfuga Senatui est pollicitus, se venenum Regi daturum, & cum necaturum : Senatus & Caius Fabritius perfugam Pirrho dedit. Itaque nè hostis quidem, & potentis, & bellum vltro inferentis, cum scelere interitum approbavit.

Ac de bellicis quidem Officijs, satis dictum est. Meminerimus autem etiam aduersus infimos iustitiam esse seruandam. Est autem infima conditio & fortuna Seruorum : quibus non male præcipiunt, qui ita iubent vti, ut mercenarijs : ad operam exigendam, & iusta præbenda. Cum autem

had forgotten, I wot not what. Afterward being gone out of the camp he thought himselfe discharged of his oath, & in words he was but not in deed. For alwaies in promise must be considered what ye meane, not what ye say. But the greatest example of iustice toward the enemy, was shewed by our ancestors, whē a runaway traitor from Pyrrhus, had promised the Senate that he wold giue him king poison and kil him, the Senate & C. Fabritius did deniue the runaway traitor to Pirrhus: in such sort with treachery they allowed not the death of their enemy, & such a one as was both mighty & incoued war vnprouoked.

Thus of warfaring duties there is enough spoken. Let vs remember also that euen toward the basest sort there is a iustice to be kept. The basest degree and state is of slaves: whom they that will ye so to vse, as hired men, in requiring their work, and giuing them their due, doe teach you nothing amisse: but where

where as inturpes may be done two waies, & is to say, eether by force or by guile: guil seems as of & for: force as of the Lion: both in truth are very vnfit for man, yet guile deserueth the greater hatred. But of all iniustice, none is more pestilent then theirs: which when they be guil a man most, yet so handle the matter, & they will seeme to be well meaning men. Of iustice here is said enough.

Let vs now speake as we purposed, of bountifullnesse and liberalitie: for nothing without doubt is to the nature of man more agreeable. Notwithstanding it hath diuers exceptions. For first we must see & our bountifullnesse hurt not both those to whom bountifullly it shall seeme to be done, & also oether more: next, that our liberalitie be not more then our abilitie: thirdly, that to every man be given according to his worthinesse. For that is the foundation of iustice, whereto al these must be applied. For both they that

duobus modis, id est aut vi, aut fraude fiat iniuria: fraus quasi vulpeculae, vis Leonis videtur: vtrumque ab homine alienissimum: sed fraus odio digna maiore. Totius autem iniustitiae, nulla capitalior est, quam eorum, qui tum cum maxime fallunt, id tamen agunt, ut viri boni esse videantur. De iusticia satis dictum est.

Deinceps (vt erat propositum) de beneficentia ac liberalitate dicatur: qua quidem, nihil est naturae hominis accommodatius. Sed habet multas cautiones. Videndum est enim primum, ne obsit benignitas, & ijs ipsis, quibus benigne videbitur fieri & ceteris: deinde ne maior benignitas sit, quam facultates: tum vt prodignitate cuique tribuitur. Id enim est iustitiae fundamentum, ad quam haec omnia sunt referenda. Nam & qui gratificatur

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cantur cuiuspiā quod ob-
 sit illi, cui prodesse velle
 videantur, non benefici
 neq; liberales, sed pernicio-
 sioſi aſſentatores iudi-
 candi ſunt: Et qui alijs
 nocent, vt in alios libe-
 rales ſint, in eadem ſunt
 iniuſtitia, vt ſi in ſua rem
 alienā conuertant. Sunt
 autem multi & quidem
 cupidi ſplendoris & glo-
 riæ, qui eripiunt alijs,
 quod alijs largiantur.
 Hiſque arbitrantur ſe
 beneficos in ſuos amicos
 viſum iri, ſi locuplerent
 eos, quacumque ratione.
 Id autem tantum abeſt
 ab officio, vt nihil ma-
 gis Officio poſſit eſſe
 contrarium. Videndum
 eſt igitur, vt ea libera-
 litate vtamur, quæ pro-
 fit amicis, noceat ne-
 mini. Quare L. Syllæ
 & C. Cæſaris pecuni-
 arum translatio a iuſtis
 dominis ad alienos, non
 debet liberalis videri.
 Nihil enim liberale,
 quod non idem ſit iu-
 ſtum, Alter locus erat

pleaſure any body with that
 which may hurt him, whom
 they would ſeeme willing to
 profit, ought to be demd not
 bounteous, nor liberall, but
 peſtilent flatterers: and they
 likewise who doe hurt ſome,
 that they may be liberall to
 other, do fal into the ſame in-
 iuſtice, as if they ſhould turn
 other mens goods into their
 own. But there be many, &
 namely the deſtrous of ho-
 nour & glory, who doe catch
 from ſome, & they may laiſh
 to another, & theſe ſuppoſe
 that they ſhall ſeeme bounti-
 full to their friends, if they
 may enrich them any manner
 way. But that is ſo farre off
 from duty, that nothing may
 be more contrarious to duty.
 We muſt ſee therefore that
 we uſe ſuch liberalitie, as
 may profit our friends, & hin-
 der no body. Wherefore L.
 Sillaes, & C. Cæſars conuey-
 ing of goods from the iuſt
 owners to ſtrangers, muſt
 not be thought liberalitie.
 For nothing is liberall,
 which ſame is not iuſt. The
 ſecond point of exception
 was

was that our liberality shuld
not be more then our ability,
because who so will be laui-
sher thē their goods wil bear
they chiefly offend in this,
that they be iniurious vnto
their next akinne. For they
conuay the same riches to
friend folke, which it were
more reason both to be dealt
& left to their kindred. And
there is in such liberalitie a
grēdinesse often times of
catching and pulling away
with iniury, that there may
be stoze to lash out. A man
may see also some doe much,
not by nature so liberall, as
ledde with a certaine gloze,
that they may seeme bounti-
full: which things may be
thought to come rather of a
bragge, then of a free heart.
Such a false sayning is a
nearer neighbour to vanitie,
then either to liberalitie, or
to honestie. The third re-
straint, we spoke of, is, that
in liberality there be a choice
of worthinesse, wherein are
to be considered both his
manners, vpon whom the
benefit shall be bestowed,

cautionis, nē benignitas
maior esset, quā facul-
tates: quōd qui benigni-
ores esse volunt, quā
res patitur, primum in
eo peccant, quōd iniuri-
osi sunt in proximos.
Quas enim copias his &
suppeditari equius est, &
relinqui, eas transferunt
ad alienos. Inest autem
in tali liberalitate cupi-
ditas rapiendi plerumq;
& auferendi per iniuriā
vt ad largiendum suppe-
tant copię. Videre etiā
licet plerosque non tam
natura liberales, quā
quadam gloria induct-
os, vt benefici videan-
tur, facere multa: quę
proficisci ab ostentatio-
ne magis, quā à volun-
tate videntur. Talis au-
tem simulatio vanitati
est coniunctior quā aut
liberalitati, aut honesta-
ti. Tertium est proposi-
tum, vt in beneficentia
dilectus esset dignitatis:
in quo & mores eius e-
runt spectandi in quem
beneficium conferetur:

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& animus erga nos & communitas, ac societas vitæ, & ad nostras utilitates officia antè collata, quæ vt concurrant omnia optabile est, fin minus, plures causæ, maioresq; ponderis plus habebunt.

Quoniam autem viuimus non cum perfectis hominibus, pleneque sapientibus, sed cum ijs, in quibus præclare agitur, si insint simulachra virtutis: etiam hoc intelligendum puto, neminè omnino esse negligendum, in quo aliqua significatio virtutis appareat. Colendum autem esse ita vnumquæque maximè, vt quisque maximè his virtutibus lenioribus erit ornatus, modestia, temperantia, ac ipsa de qua iam multa dicta sunt Iustitia. Nam fortis animus & magnus, in homine nõ perfectio, nec sapiente, feruentior plerumq; est: illa verò virtutes boni

& also his good will toward vs, and the interpartening and fellowship of life, and friendly turnes done before to our commodities, al which be wishful to meet together; if not, the more causes & the greatest, shall haue in them the more weight.

Howbeit, because we lead not our life with perfect men and thoroughly wise, but with such as in whom it is a goodly matter if there be resemblances of vertue. I reckon this also meete to be considered, that we despise no manner man, in whom any signe of vertue doth appeare. And specially, that euerie man so be regarded, as each man chiefly shall be garnished with these gentler kindes of vertues, sober moode, temperance and this same, iustice, whereof already much hath bene spoken. For a manly courage and a great, is commonly somewhat too feruent in a man, & wants of perfection & wisdom, but those other vertues seme rather to pertain

to

to a good man: Thus much in manners may be considered: But concerning loue that any man beareth toward vs, this is the chiefe point of duty, that we giue most to him of whom we are most beloued. But we must measure good will not after the guise of young men, by a certaine heat of loue, but rather by assurednesse and stedfastnesse. But in case amans deseruing be such, that we haue not to sake to creepe in labour, but to requitte his kindnesse, a certaine greater care is then to be vsed. For there is no Dutie more necessary then requitting of kindnesse: And if Hesiodus wilts prae with larger measure (if praemy) to restore such things as he haue borrowed to occupy: what then ought we to do prouoked by benefitts? Must we not doe like the fruitful fields, that yelde much more then they receiued? For if we stick not to bestow pleasures vpon thē, who we hope will profit vs hereafter, what manner men

virum videntur potius attingere. Atque haec in moribus considerentur. De beneuolētia autem, quam quisq; habeat erga nos, primum illud est in officio, vt ei plurimum tribuamus: à quo plurimum diligimur. Sed beneuolentiā non adolescentulorum more, ardore quodam amoris, sed stabilitate potius, & constantia iudicemus. Sin erunt merita, vt non ineunda, sed referenda sit gratia: maior quidam cura adhibenda est. Nullum enim officium referenda gratia, magis necessarium est. Quod si ea, quae acceperis, vtenda, maiore mensura (si modò possis) iubet reddere. Hesiodus: quidnam beneficis prouocati facere debemus? An non imitari agros fertiles, qui multo plus afferunt quā acceperunt? Et enim si in eos, quos speramus nobis profuturos non dubitamus officia conferre: quales

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quales in eos esse debemus, qui iam proficiunt? Nam cum duo genera liberalitatis sint, vnum dandi beneficij, alterum reddendi: demus necnè in nostra potestate est: non reddere bono viro non licet, modò id facere possit sine iniuria. Acceptorum autem beneficiorum sunt dilectus habendi. Nec dubium quin maximo cuique plurimum debeatur. In quo tamen in primis, quo quisque animo, studio, beneuolentia fecerit, ponderandum est. Multi enim multa faciunt temeritate quadam sine iudicio vel modo in omnes, vel repentino quodam quasi vento, inpetu animi incitati, quæ beneficia æquè magna non sunt habenda, atque ea, quæ iudicio cõsideratè, constanterq; delata sunt. Sed in collocando beneficio & in referenda gratia, si cætera paria sint, hoc

ought we to be towards the, that haue done vs good already? For whereas there be two kindes of liberality, one of doing a benefit, another of requiting: whether we will doe it or no, is in our owne choice: but to leaue ought vrequited, is not lawful for a good man: so he may doe it without iniurie. But there be respects to be had of benefits receiued: and there is no doubt, but most is due to the greatest, wherein specially it is to be weighed of what minde, affection, and good will, a man hath done it. For many men doe many things of a certaine headynesse, without discretion or measure toward euery man, or else with a certaine sodaine braid of minde carryed as with the winde, which benefits are not to be counted a like great, as those that be offered with iudgement aduisedly and constantly. But in placing of benefits, and requiting kindnesse, (if all other things be correspondent) this is a principall point

point of duty, that as euery man most needeth helpe, so him most of all we aid, which contrariwise is done of a great many, for of whom they hope most, although he hath no neede of them, yet to him they are most seruiceable.

But the fellowshippe and neighbourhoo of men shall best be maintained, if as euery man shall be nearest vs, so on him we bestow most liberalitie. But what be natures principals of neighbourhoo, and the fellowship of man, I thinke good to fetch somewhat farther off. For the first is that which is seene in the fellowship of all mankind. The bond wherof is reason and speech, which by teaching, learning, conferring, reasoning, and iudging, winneth one man to another, and toyneth them in a certaine naturall fellowshippe. For by any thing farther we differ from the nature of sauage Beasts, in whom we say oftentimes

maximè officij est, vt quisque maximè opis indigeat, ita ei potissimè opitulari: quod contrà fit à plerisque. A quo enim plurimum sperant, etiam si ille ijs non eget, tamen ei potissimum inseruiunt.

Optimè autem societas hominum, coniunctioque seruabitur, si vt quisque erit coniunctissimus, ita in eum benignitatis plurimum conferetur. Sed quæ naturæ principia sunt communitalis & societatis humane repetendum altius videtur. Est enim primum, quod cernitur in vniuersi generis humani societate. Eius autem vinculum est ratio & oratio, quæ docendo, discendo, communicando, disceptando, iudicando conciliat inter se homines, coniungitque naturali quadam societate. Neque vlla re longius absumus à natura ferarum, in quibus inesse forti-

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fortitudinem sæpe dicimus, ut in E. iuis, in Le. omnibus: Iustitiam, æquitatem, bonitatem non dicimus. Sunt enim rationis & orationis expertes. Ac latissimè quidem patens hominibus inter ipsos, omnibus inter omnes societas hæc est: in qua omnium rerum, quas ad communem usum hominum natura genuit, est seruanda communitas, utque descripta sunt legibus & iure ciuili, hæc ita teneantur, ut sit constitutum, è quibus ipsis cætera sic obseruentur, ut in Græcorum Prouerbio est: Amicorum esse communia omnia. Omnia autem communia hominum videntur ea, quæ sunt generis eiusdem, quod ab Ennio positum in vna re, transferri in multas potest:

Ut, homo qui erranti comiter monstrat viam,

there is an hardinesse, as in Hoyses and Lyons, but we neuer say they haue Justice, Equitie, and goodnesse, for they be boide of reason, and of speech. And surely this is the fellowship that spreadeth most largely with men among themselves, and with all among all, in the which there must be kept a commonnesse of all things, that nature hath bred to the common vse of man, so as the things which be appoynted by Statutes, and the Ciuill law be obserued in such sort as it is ordayned, besides which all other things are so to be obserued, as is in the Greeke Prouerbe: Among friends all things be common. But all these things seeme common to all men which be of that kinde, as bring put for example by Ennius in one thing, may be applyed to many;

The man that gently shewes the way vnto the wandring wight :

Doth

Doth as if he a candle hold
at his owne candle light.
That nethelisse it light him-
self whē lighted is the other.

Quasi lumen de suo lu-
mine accendat, facit.
Vt nihilominus ipse lu-
cet, cū illi accenderit.

For enough is taught
vs by one example : that
what so euer wē may lend
without hinderance, it be
graunted to every body, yea,
to the vnknowne. Where-
vpon, these things be com-
mon : Not to forbid one the
running water : To suffer
one that will, to take fire
at our fire. To giue faith-
full counsell to him that as-
keth aduise : which things
be profitable to those that
receiue them, and nothing
burdenous to the giuer :
wherefore wē must both vse
these things & somewhat al-
wayes must wē doe to fur-
ther the common profit.

But sith each priuate mans
substaunce is small, and the
multitude is endlesse that
nēde it : Common libera-
litie must be referred to that
ende of Ennius : That neth-
elisse it light himselfe. So as
there may be an abilitie :

Vna enim ex re sa-
tis præcipitur, vt quic-
quid sine detrimento
possit commodari, id
tribuatür cuique, vel
ignoto. Ex quo sunt
illa communia : Non
prohibere aquam pro-
fluentem : pati ab igne,
ignem capere, si quis
velit : Consilium fide-
le deliberanti dare : quæ
sunt ijs vtilia, qui ac-
cipiunt, dandi non mo-
lesta. Quare & his
vtendum est, & sem-
per aliquid ad commu-
nem vtilitatem afferen-
dum.

Sed quoniam copiar
paruarum singulorum sunt :
eorum autem, qui his
egeant, infinita est
multitudo, vulgaris li-
beralitas referenda est
ad illum Ennij finem :
Nihilominus vt ipse lu-
cet, vt facultas sit,
qua

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qua in nostros sumus liberales.

Gradus autem plures sunt societatis hominū. Vt enim ab illa discedatur infinita, proprior est eiusdem gentis, nationis, linguæ, qua maximè homines coniunguntur.

Internus etiam est eiusdem esse ciuitatis.

Multa enim sunt Ciuitibus inter se communia, Forum, Fana, Porticus, Viæ, Leges, Iura, Iudicia, Suffragia, Consuetudines, præterea, & familiaritates, multisq; cum multis res rationisq; contractæ.

Arctior verò colligatio est societatis propinquorum. Ab illa enim immensa societate humani generis, in exiguum angustumq; concluditur.

Nam cum sit hoc natura commune omnium animantium, vt habeant libidinem procreandi: prima societas in

wherewith we may be liberal to our owne.

There be more degrees of the fellowship of men. For to leaue that endlesse number, there is a nigher degree, to be of one Country, of one Nation, of one language, by the which men be chiefly knit together.

A nicher also it is to be of one Citie.

For many things there be common to Citizens, among themselues: as Law, Courts, Churches, Galleries, Walkes, high wayes, statutes, lawes, iudgements, boyces, custome, and besides these, familiarities, & hauing to doe in sundry matters, & bargaines with sundry folk.

But a faster knitting of men together, is the fellowship of kinsefolke. For out of the innumerable fellowship of mankind it is dyuen to a little and narrow compassse.

For whereas by nature this is common to al liuing creatures, to haue lust to engendering: the first fellowship

is in very wedlock: the next, in Children: and after that, one house & all things common. And this is the originall of a Citty, and as it were the seede-plot of a common weale. Then follow the hundreds of Brethren, after of brothers and sisters children, when they now cannot bee contained in one house, get them abroad to other houses, as into new townes. Then follow intermarriages, and alliances, of which also mo kinssolke doe arise. Which multiplication and succession is the root of common weales. Surely the matching of blouds, & good wils that riseth therof, knitte men in loue together. For it is a great matter to haue the like monuments of auncestors, to vse all one religion, & to haue the same buriall places.

But of all fellowshipes there is none better, none more assured, then when men alike in conditions be infellowshipt, in familiaritie, together. For that honest

ipso est coniugio: proxima in liberis: deinde, vna domus, communia omnia. Id autem est principium vrbis, et quasi seminarium Reipub. Sequuntur fratrum coniunctiones, post consobrinorum, sobrinorumque: qui cum vna domo iam capi non possunt, in alias domos tanquam in colonias exeunt. Sequuntur connubia, & affinitates: ex quibus etiam plures propinqui. Quae propagatio & symbolus, origo est rerum publicarum. Sanguinis enim coniunctio, & beneuolentia deuincit charitate homines. Magnum est enim eadem habere monumenta maiorum, eisdem vti sacris, sepulchra habere communia.

Sed omnium societatum nulla praestantior est, nulla firmitior, quam cum viri boni moribus similes familiaritate coniuncti sunt. Illud enim honestum

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honestum (quod sæpe diximus) etiam si in alio cernimus, tamen nos mouet, atq; illi, in quo id inesse videtur, amicos facit. Et quamquam omnis virtus nos ad se allicit, facitq; vt eos diligamus, in quibus ipsa in esse videatur: tamē iustitia & liberalitas id maxime efficit.

Nihil autem amabilius, nec copulatiuſ est quā mortū similitudo bonorū. In quibus enim eadem studia sunt, eadem voluntates, in ijs sit, vt æquē quisq; altero delectetur, ac se ipso: efficiturq; id, quod Pythagoras vult in amicitia, vt vnus fiat ex pluribus. Magna etiam illa communitas societatum, quæ conficitur ex beneficijs, vtrō citroq; datis, acceptisq;e. Quæ mutua & grata dū sunt, inter quos ea sunt, firma illi diuincuntur societate.

(which we haue often mentioned) although we see it in another, yet it moueth vs and maketh vs friends to him in whom the same seemeth to dwell. And though all vertue allureth vs to her, and causeth vs to loue them, in whom she seemeth to harbour: yet Justice and liberality worketh that most of all.

But there is nothing that winneth more loue, nor surer lier knitteſ men together, then a likenesse in good conditions. For in whom be like desires and like mindes: it happeneth among them, that eſther with other is as much delighted, as with himſelfe: & it is brought to passe, that Pythagoras requires in amitie, that many become one.

That common fellowship also is great, which groweth of benefites to and fro, giuen and taken. Which while they be come from one to another, and pleasurefull: they amōg whom those happen be tyed in a fast fellowship.

But

But when we haue per-
 bsed all these things in your
 reason and minde : of all
 fellowshipes there is none
 more acceptable, nor deerer,
 then the same, which euery
 one of vs hath with the com-
 mon weale. Deere be our
 Parents, deere be our chil-
 dren, deere be our kinfolke
 and familiars, but our coun-
 try containes in it alone all
 the deere loue of them all :
 for the which what good
 man doubteth to take his
 death, if he may profit the
 same? Whereby their beast-
 ly crueltie is the more to be
 abhorred : who haue rent a-
 sunder their Country with
 all manner of mischief, and
 both be and haue been occu-
 pied in the bitter ouerthrow-
 ing thereof.

But if question of compa-
 rison be made, to whom the
 greatest dutie ought to be
 preiudged : our Country and
 Parents be the chiefe, by
 whose benefits we are most
 bound : our children and all
 our whole familie be the next
 which hang all vpon vs

Sed cum omnia ra-
 tione, animoque lustra-
 ueris, omnium societa-
 tatum nulla est grati-
 or, nulla charior, quam
 ea, quæ cum Repub-
 lica est unicuique no-
 strum. Chari sunt Pa-
 rentes, chari liberi, pro-
 pinqui, familiares : sed
 omnes omnium chari-
 tates patria vna com-
 plexa est : pro qua quis
 bonus dubitet mortem
 oppetere, si ei sit pro-
 futurus? Quo est de-
 testabilior istorum im-
 manitas, qui lacerarunt
 omni scelere patriam,
 & in ea funditus delen-
 da occupati & sunt &
 fuerunt.

Sed si contentio quæ-
 dam, & comparatio fiat,
 quibus plurimum tribu-
 endum sit officij, prin-
 cipes sint Patria & Pa-
 rentes, quorum bene-
 ficijs maximè obligati
 sumus : proximi liberi,
 totaque domus, quæ
 spectat in nos solos, ne-
 que aliud vllum potest
 habere

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habere refugium. Deinceps, bene conuenientes propinqui, quibus cum communis etiam fortuna plerumque est.

Quamobrem necessaria vitæ præsidia debentur ijs maximè, quos antè dixi. Vita autem, victusq; communis, consilia, sermones, cohortationes, consolationes, interdum etiam obiurgationes, in amicis vigent maximè, estque ea iucundissima amicitia, quam similitudo morum coniugauit.

Sed in his omnibus officijs tribuendis, videndum erit quid cuique maximè necesse sit, & quid quisque nobiscum, vel sine nobis, aut possit consequi, aut non possit. Itaque non iidem erunt necessitudinum gradus, qui temporum. Sunt quædam officia, quæ alijs magis, quam alijs debentur: ut vicinum citius adiueris in fructibus percipiendis, quam

alone, and can haue none o-
ther refuge: then by our kin-
folke, that agree well with
vs, which commonly stand
in the like estate.

Wherefoze the necessary
aydes of life be due to them
chiefly, whom I spake of be-
foze, but conuersation and
commonnesse of table, coun-
sellings, communications,
exhortations, comfortings,
yea, & chidings otherwhile
among friends be most vsed,
and that is the pleasantest
friendshippe, which likenesse
of conditions hath yoked in
one.

But in doing all these du-
ties, we must marke what
is most needefull for euery
man, and what euery bo-
dy is able or vnable by vs,
or without vs to attain. So
the degrees of friendshippes
shall not be a like with the
degrees of times: and there
be duties which are due to
some, more then to other
some: as you shall sooner
helpe your neighbour in tri-
ning his coze, then eether
your brother, or your fami-
liar:

Her friend : but if there be
 a trauers in law, you shall
 rather defend your kinsman
 & friend, then your neigh-
 bour. These therefore and
 such like must be thzough-
 ly considered in euery Du-
 tie: and we must so vse, and
 practise our selues, that we
 may be good count-makers
 of Duties, and see by ad-
 ding and deducting, what
 summe riseth of the rest,
 whereupon we may vnder-
 stand how much is due to
 euery man. But as neither
 Philistrions, nor Captains,
 nor Orators, although they
 haue conceiued the rules of
 their science, can attaine a-
 ny thing worthy of great
 praise, without vse & prac-
 tise : so those rules of keep-
 ing dutie are indeede taught
 vs, that we our selues
 should put them in vse: but
 the hardnesse of the matter
 also requirerh vse and exer-
 cise. And how honestie from
 which Duty springeth, is
 fetched out of those things
 that be within the Law
 of mans fellowship: we

aut faciemus aut familia-
 rem. At si lis in iudi-
 cio sit, propinquum po-
 tius & amicum, quam
 vicinū defenderis. Hæc
 igitur & talia circū-
 spicienda sunt in omni
 officio: & consuetudo,
 exercitatioq; capienda;
 vt boni ratiocinatores
 officiorū esse possimus;
 & addendo ducendoq;
 videre, quæ reliqui sum-
 ma fiat: ex quo quan-
 tum cuique debeat in-
 telligas. Sed vt nec me-
 dici, nec imperatores,
 nec oratores, quamuis
 artis præcepta percipe-
 rint, quicquam magna
 laude dignum sine vsu
 & exercitatione conse-
 qui possunt: sic officij
 conseruandi præcepta
 traduntur, illa quidem
 vt faciamus ipsi; sed rei
 magnitudo vsum quo-
 que, exercitationemque
 desiderat. Atque ab ijs
 rebus, quæ sunt in iure
 societatis humanæ quæ-
 admodum, ducatur ho-
 nestum, ex quo orum

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est officium, satis ferè diximus.

Intelligendum est autem cum proposita sint genera quatuor, è quibus honestas officiumq; manaret, splendidissimum videri, quod animo magno, elatoque, humanaque res dispiciente factum sit, Itaque in probis maximè in promptu est. Si quid tale dici potest:

Vos etenim iuvenes animos geritis mulieres.

Illaq; virgo viri.
Et si quid est eiusmodi.
Salmacida spolia,
sine sanguine & sudore.

Contraque in laudibus, quæ magno animo & fortiter excellenterque gesta sunt, ea nescio quomodo quasi pleniore ore laudamus. Hinc Rhetorum campus de Marathone, Sa-

haue in a manner sayde v-nough.

But we must note, that where as there be foure generall kindes of vertues pointed out, from the which honestie and Duetie should flow, that seemes to shine brightest, which is wrought with a great and lofty courage, despising worldly vanities. And therefore in reproch it is commonly ready if any such thing may be said as this:

You young men iwis,
carry womens hearts,
That virgin a mans,
Like wise if ought be like
to this.

A goodly great spoyle,
at Salmacis wonne:
Without any bloud,
or sweat was it done.

And on the other side, in praising those deedes, that be done manfully, notably, and with great courage. I wot not who as with open mouth we commend. Hereof came þe Rethoricians large field vpon Marathon, Salamis,

lamis, Plateias, Thermo-
pilaes, Leuctrians and
Stratocles: hereof our Co-
cles, hereof the Decians,
hereof Cneus and Publi-
us the Scipioes, hereof
Marcus Marcellus, and o-
ther innumerable, and spe-
cially the people of Rome
did excede in greatnesse of
courage. And their desire of
martiall gloze is declared
in that we see their images
of honour be set vp, for the
most part in warlike aray.

But if that hautesse of
courage which is seen in pe-
rils, and trauailes, be void
of iustice, and doth not fight
for a common safetie, but for
a priuate profit, it is to be
reckoned faultie. For that
not onely is not the proper-
ty of vertue, but rather of
brutishnesse, setting all hu-
manitie aside.

Therefore manlinesse is
well defined of the Stoicks,
where they say, it is a ver-
tue that fighteth in defence
of equitie. Wherefore no
man that hath attained the
gloze of manlinesse, euer

lamine, Plateis, Ther-
mopylis, Leuctris, Stra-
tocle: hinc noster Co-
cles, hinc Decij, hinc
Cneus & Publius Sci-
piones, hinc Marcus
Marcellus, & innume-
rabiles alij, maximeque
ipse populus Rom. ani-
mi magnitudine excel-
lit. Declaratur autem
studium bellicæ gloriæ
quod statuas quoq; vi-
demus ornatu fere mi-
litari.

Sed ea animi elatio,
quæ cernitur in peri-
culis & laboribus, si
iustitia vacat, pugnatq;
non pro salute commu-
ni, sed pro suis commo-
dis, in vitio est. Non
modo enim id virtutis
non est: sed potius im-
manitatis omnem hu-
manitatem repellentis.

Itaque probè defini-
tur a Stoicis fortitudo,
cùm eam virtutem esse
dicunt, propugnantem
pro æquitate. Quocirca
nemo, qui fortitudinis
gloriâ consequutus est,

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insidijs et malitia laudem est adeptus. Nihil enim honestū esse potest, quod iustitia vacat, præclarum igitur Platonis illud :

Non solum (inquit) scientia, quæ est remota à iustitia, calliditas potius quam sapientia est appellanda, verum etiam animus paratus ad periculum, si sua cupiditate non utilitate communi impellitur, audacitæ potius nomen habeat, quam fortitudinis.

Itaque viros fortes & magnanimos, eosdem bonos et simplices, veteris amicos, minimeque fallaces esse volumus, quæ sunt ex media laude iustitiae. Sed illud quod sum est, quod in hac declaratione, & magnitudine animi facillime peritacia & nimis cupiditas principatus innascitur.

Verum apud Platonem est: omnem more

got prayse by wilpe traines and craftinesse. For nothing may be honest, that is boyd of iustice. A worthy saying theretore is that of Platoes, who saith :

That not onely the knowledge which is seuered from iustice, is rather to be called subtiltie then Wisdom, but also the courage which is forwarde to daunger, if it be set on, for ones owne greedinesse, and not for a common profit, may rather beare the name of lewd hardines, then of manlinesse.

Wherefore who be manly men, and stout harted, those same wæ would haue also be good and plaine louers of truth, and nothing at all deceitfull, which come out of the midst of all the praisses of iustice. But this is odious, that in such haughtinesse, & greatness of courage, they groweth a willingnesse very some, and an ouersaking of rule.

For as it is in Plato, that it was all the manner of the

La

Lacedemonians to bee inflamed with desire of conquering; so as euery man doth most excell other in greatnesse of courage, he will likewise bee the very highest ouer all, or rather without Peere. And when you couet to bee aboue all, it is hard to keepe an equitie which is most proper to iustice. Whereof comes to passe, that they cannot abide to be bridled nerther with reasoning, nor with any common and rightfull order of law: and they become in the common weale for the most part gift-giuers and part-makers, that they may attaine to the greatest power, and bee rather by might superior, then by iustice equal. But the harder it is to master the affection, the worse their is the mastery.

For there is no season that ought to be without iustice. They therefore bee counted manly and of great courage, not who do any wrong, but who withstand it. But a true and wise stout heart

Lacedæmoniorum inflammatum esse cupiditate vincendi, sic ut quisque animi magnitudine maximè excellit, ita maximè vult princeps omnium, vel potius solus esse. Difficile autem est, cum præstare omnibus concupiscere, seruare æquitatem, quæ est iustitiæ maximè propria. Ex quo fit, vt neq; disceptatione, vincti se, neq; villo publico ac legitimo Iure partiantur. Exsistuntque in Republica, plerumque largiores & factiosi, vt opes quàm maximas consequantur, & sint vi potius superiores, quàm iustitia pares. Sed quo id est difficilior hoc præclarior.

Nullum enim est tempus, quod iustitia vacare debeat. Fortes igitur & magnanimi sunt habendi, non qui faciunt, sed qui propulsant iniuriam. Vera autē & sapientis

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piens animi magnitudo honestum illud, quod maximè natura sequitur in factis positum, non in gloria iudicat, principemq; se esse mauult, quàm videri. Et enim qui ex errore imperitæ multitudinis pender, hic in magnis viris non est habendus. Facillimè autem ad res iniustas impellitur, vt quisque altissimo est animo & gloriæ cupido. Qui locus est sanè lubricus: quod vix inuenitur qui laboribus susceptis, periculisq; aditis, nō quasi mercedem rerum gestarum desideret gloriam.

Omniñō fortis animus & magnus duabus rebus maximè cernitur: quarum vna in rerum externarum despicietia ponitur, cum persuasum sit nihil hominem nisi quod honestum, decorūq; sit, aut admirari, aut optare, aut expetere oportere: nulliq; neq; homini, neque perturbationi

iudgeth that honestie, which nature chiefly followeth to stand in deeds, and not in glory: and had rather bee, then seeme the chiefe. For who so hangeth vpon the waivering of the vnskillful multitude, he is not to bee counted among the number of manly men. But as e uery man is of the highest courage, & desirous of glory so is hee soonest egged to vnjust doings, which is indeed a very slipper place, because scarce ther is any man found, who when he hath sustained trauailes and aduentured dangers, doth not desire glory, as reward of his doings.

A manly courage and a great, is alwayes by two things chiefly discerned, whereof the one stands in the contempt of outward things, when it is perswaded, that a man ought not ether to esteeme, ether wish or desire any thing but that is honest and seemely, to yeld to none, neyther man, nor affection, nor chaunce of

of fortune. The other thing is, that when you be so disposed in courage as I said before, ye doe great enterprises, and those same right profitable, but yet very hard and full of trauaile and danger, both for life, & for many things that to life doe belong. All the glory and honour of these two things, (I adde thereto the profit) stands in the latter, but the cause and mean, that makes many men, is in the former. For in it is that which maketh excellent courages, and such as despise the worlds vanities. But this same resteth in two things, if both you iudge that onely to be good, which is honest, & also to be free from all moodynes of mind. For it is to be counted the part of a great and manly courage, both to set light by those things, which doe seeme precious and gorgeous to the greater number, and also to despise the same, with a stedfast and grounded iudgement: and shewe it is a signe of

animi, nec fortunæ succumbere. Altera est res, vt cum ita sis animo affectus, vt supra dixi, res geras magnas illas quidem et maximè utiles, sed vehementer arduas, plenasq; laborum & periculorum, eum vitæ causa, tum multarum rerum, quæ ad vitam pertinet. Harum rerû duarû splendor omnis & amplitudo (addo etiam utilitatem, in posteriore est: causa autem & ratio efficiens magnos viros, est in priore. In eo enim est illud, quod excellentes animos & humana contemnentes facit. Id autem ipsam cernitur in duobus, si & solum id, quod honestum sit, bonum iudices & ab omni animi perturbatione liber sis. Nam et ea quæ eximia plerisque & præclara videntur, parua ducere, eaque ratione stabili, firmaq; contemnere, fortis animi magnique ducendum est.

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et ea quæ videntur acerba, quæ multa et varia in hominũ vita fortunaq; versantur, ita ferre, vt nihil à statu nature discedas, nihil à dignitate sapientis, hoc robusti animi est, magnæq; constantiæ. Non est autem consentaneũ, qui metu non frangatur, cum frangi cupiditate: nec qui inuictum se à labore præstiterit, vinci à voluptate. Quamobrem & hæc vitanda sunt: & pecuniæ fugienda cupiditas. Nihil enim est tam angustii animi, tamque parui, quàm amare diuitias. Nihil honestius magnificentiusq; quàm pecuniam contemnere si non habeas: si habetas, ad beneficentiam, liberalitemque conferre.

Cauenda est etiam gloriæ cupiditas, vt supra dixi. Eripit enim libertatem: pro qua, magnanimis viris omnis de-

mightie courage, and great stedfastnes, so to beare those things, which seeme bitter, and bee much and sundry wayes tost in mannes life and fortune, as nothing you swarue from the order of nature, nor the worthinesse of a wise man. And it is not meete, that hee bee subdued: with desire, who is not subdued with feare, nor that hee bee overcome with pleasure, who hath shewed himselfe vnable to bee overcome with trauaile, wherefore both these faults are to be auoided, and also couetousnesse of money is to bee eschewed. For nothing is so much a signe of a small and slender courage, as to loue riches: nothing there is honestier and nobler, then to dispise money if you haue it not: and if you haue it, to bestow it in bountifullnesse, and liberalitie.

We must also beware of desire of glory, as I said before. For it pulles away the freedome of the mind: for the which all endeuor of stout harted

hated men should be. And verily we ought not to seeke for rule, but rather not to receiue it sometime, or otherwise to giue it ouer. And we must be free from all troublesome stir of minde: from desire and feare, from heart sicknesse and voluptuousnesse and angriuesse: that we may haue quietnesse of minde, and voidnes of care, the which may bring both stedfastnesse, and also a worthy estimation.

But diuers there be, and haue ben: who desiring that same quietnesse that I speak of, haue withdraue themselves from commō affairs, and haue got them to quietnesse. Among these both the noblest Philosophers, and the very chiefe, and also certaine vpright & graue men, neither could abide the manners of the people, nor of the rulers: and many of them haue liued in desert places, as delighted onely with their home matters.

These thote at the same markes that kings doe, that

bet esse contentio. Nec verò imperia expetenda ac potius, aut non accipienda interdum, aut deponenda nonnumquam. Vacandū autem est ab omni animi perturbatione, tum cupiditate et metu, tum etiam ægritudine, & voluptate animi & iracundia, vt tranquillitas adsit & securitas, quæ afferat tum constantiam, tum etiam dignitatem.

Multi autem sunt & fuerunt, qui eam, quam dico, tranquillitatem expetentes, a negotijs publicis se remouerunt, ad otiumque perferunt. In his, & nobilissimi Philosophi, longeque principes, & quidam homines seueri & graues, nec populi, nec principum mores ferre potuerunt, vixeruntque nonnulli in agris, delectati re sua familiaris.

His idem propositum fuit; quod & Regibus;

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ut ne qua re egerent, ne cui parerent, libertate vterentur: cuius proprium est, sic vivere ut velis. Quare cum hoc commune sit potentis cupidorum, cum ijs, quos dixi otiosos: alteri se adipisci id posse arbitratur, si opes magnas habeant: alteri, si contenti sint suo & paruo. In quo quidem neutrorum omnino contemnenda est sententia. Sed & facilius, & tutius, & minus alijs grauis aut molesta vita est otiosorum. Fructuosior autem hominum generi, & ad claritatem amplitudinemque aptior eorum, qui se ad Rempublicam & ad res magnas gerendas accommodauerunt. Quia propter et ijs forsitan concedendum sit, Republicam non capeissentibus, qui excellenti ingenio, doctrinaeque sese dediderunt. Et ijs, qui aut valetudinis, imbe-

is, to haue need of nothing, to obey no man, and to vse their owne libertie, whose property is, to liue as please. Wherefore sith this is common both to the desirous of power, & those whō I spake of, that leade the quiet life: the one sort do thinck themselves able to compass it, if they haue great wealth: the other, if they be contented with their owne, and a little. Wherein verily the opinion of neither of them is utterly to be despised. But the life of the quiet liuers, is both easier & safer, & lesse grievous or troublesome to other: and theirs is the profitabler, for mankinde, & fitter for fame and honour, who haue applyed themselves to the common weale, and going through with gret matters. Wherefore peraduenture both they are to bee borne withall, & take not in hand the common weale, who of an excellent wit haue applyed themselves to learning. And also they, who being letted either by sicklines, or
some

some other more waightier
cause, haue conuayed them-
selves away from the com-
mon weale: when they were
well content to leaue to o-
ther the authoritie & prayse
of ruling the same. But to
whom there is no such oc-
casion, if they say they set
nought by those things,
that most men haue in ad-
miration, as rule and office
bearing: to these I thinke
it worthy to be counted not
onely no praise, but also a
fault, whose iudgement it
were very hard to disallow,
in that they dispise glory, &
esteeme it as nothing. But
they seeme to feare the trou-
bles and griefes both of gi-
uing offence, and hauing re-
pulses as a certaine reproch
and defame.

For there be, who doe
little agree with themselves
in things that be contrary,
as some most earnestly con-
temne pleasure, and in paine
be somewhat tenderer, some
regard not glory, and be tro-
bled with slander, and these
things they doe not with

cillitate, aut aliqua gra-
uiore causa impediti, à
Repubblica recesserunt,
cum eius administran-
dæ potestatem alijs, lau-
demque considerent.
Quibus autem talis
nulla est causa, si dispi-
cere se dicant ea, quæ
plerique admirentur,
imperia, & magistratus:
ijs non modò non lau-
di, verum etiam vitio
dandum puto: quorum
iudicium in eo, quòd
glorium contemnant,
& pro nihilo putent,
difficile factu est non
probare. Sed videntur
labores, & molestias, tum
offensionum, tum re-
pulsarum, quasi quandam
ignominiam timere &
infamiam.

Sunt enim qui in re-
bus contrarijs parum
sibi consent, volupta-
tem seuerissimè con-
temnant in dolore sint
molliores: gloriam
negligant, frangantur
infamia: atque ea
quidem non satis con-
stanter

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stanter. Sed ijs, qui sufficient steadfastness. But
 habent à natura adiu- all lingering set aside, offi-
 menta rerū gerendarū; ces are to be taken, and
 abiecta omni cunctati- the common weale to be ser-
 one, adipiscendi magi- ued of those, who haue by
 stratus sunt, & gerenda nature the helps of dispatch
 Respub. est. Nec enim of matters. For otherwile
 aliter aut regi ciuitas, can neyther the state bee
 aut declarari animi gouerned, nor the great-
 magnitudo potest. nes of courage be declared.
 Capessentibus autem And of such as take vpon
 Rempubl. nihilominus them the common weale, no
 quā Philosophis, haud lesse then of Philosophers,
 scio an magis etiam & per and I wot not whether
 magnificentia & dispi- more, must bee vsed both a
 cientia adhibenda est maiestie, and a contempt of
 rerū humanarū (quam worldly things, (which I
 sæpe dico) & tranquil- often repeat) & also a qui-
 litas animi, atque se- etnesse of minde, and void-
 curitas. Si quidem nec nesse of care: for so they shall
 anxij futuri sunt & cum not be thoughtfull, & with
 grauitate, constantia- gravity & steadfastnesse they
 que victuri, quæ eo fa- shall leade their life, which
 cilia sunt Philosophis things be so much the easier
 quod minus patent mul- to philosophers, as the eue-
 ta in eorum vita, quæ er things be open in their
 fortuna feriat, & quo life, that fortune make
 minus multis rebus e- strike: and as the stwer
 gent, & quia si quid things they stand in minde
 aduersi eueniat, tam of, and because they cannot
 grauitèr cadere non take so sope a fall, if any ad-
 possunt. Quocirca non ueritie befall. Wherefore
 sine causa maiores mo- not without cause, greater
 motions

motions of mindes be stir-
 red by in them: and grea-
 ter enterprises are moete to
 be compassed, by the gouer-
 nors of the common weale,
 than by the quiet liuers, &
 therefore the more great-
 nesse of courage, and voyd-
 nesse of griefes ought they
 to vse. But who so doth
 come to the doing of mat-
 ters, let him take hede that
 not onely this he consider,
 how honest the matter is,
 but also that he haue an
 ablenesse to discharge the
 same. In the which point
 must be considered, that nei-
 ther ouer soone he despatre
 for dastardynesse, nor ouer
 much haue affiance for gre-
 dinesse. And in all matters,
 before ye goe about them,
 they must be vsed a diligent
 preparation. But whereas
 most men suppose martiall
 teates to be greater, than
 Citie causes, this opinion
 is to be abated. For many
 haue sought warre often-
 times, vpon desire of glory,
 and it commonly befalleth
 in great wits, and courages

tus animorum conci-
 tantur, maioraque effi-
 cienda Rempubicam
 gerentibus, quam quie-
 tis: quo magis his &
 magnitudo animi est
 adhibenda, & vacuitas
 ab angoribus. Ad rem
 gerendam autem qui
 accedit, caueat ne id
 modò consideret, quam
 illa res honesta sit, sed
 etiam vt habeat effi-
 endi facultatem. In quo
 ipso considerandum est
 ne aut timere desperet
 propter ignauiam: aut
 nimis confidat propter
 cupiditatem. In omni-
 bus autem negotijs pri-
 usquam aggrediare, ad-
 hibenda est preparatio
 diligens. Sed cum ple-
 riq; arbitrentur res bel-
 licas maiores esse, quam
 urbanas, minuenda est
 hæc opinio.

Multi enim bella sæpe
 que fuerunt propter glo-
 rię cupiditatem, atq; id
 in magnis animis, inge-
 nijq; plerumque con-
 tingit eoque magis si
 sunt

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funt ad rem militarem apti, & cupidi bellorum gerendorum. Verè autem si volumus iudicare, multe res extiterunt urbane maiores clarioresq; quàm bellicæ. Quamuis enim Themistocles iure laudetur, & sit eius nomen, quàm Solonis illustrius: citeturque Salamis clarissimæ testis victoriæ, quæ anteponatur consilio Solonis, ei quo primū constituit Arcopagitas: non minus præclarum hoc, quàm illud iudicandum est. Illud enim semel profuit, hoc semper proderit civitati, hoc consilio leges Atheniensium, hoc maioriū instituta servantur. Et Themistocles quidē nihil dixerit, in quo ipse Arcopagum adiuerit: at ille verè adiuvit Themistoclem. Est enim bellum gestū consilio senatus eius, qui à Solone erat constitutus. Licet eadem

and so much the more if they be men fit for Chivalry, & desirous of warefare. But if we minde to iudge truely, there haue bene many citie matters greater, and nobler then martiall. For though Themistocles be rightfully commended, and his name is more famous than Solons: and Salamis is cited a witnesse of his most glorious victory, and it is preferred aboue the counsell of Solon, wherewith he first ordayned the Arcopagites: yet no lesse prayse worthy is this, than to be adiudged. For that but once auayled, this shall for euer auaille the Citie. By this counsell, the lawes of the Athenians, by this, the orders of their Elders be preserved. And Themistocles can asleadge nothings wherewith he furthered the Arcopage, but Solon furthered Themistocles. For the war was maintained by the aduise of that Senate, which by Solon was established. Wee may say as much

Much of Paufanias and Lyfander: by whose deeds of armes though the Empire of the Lacedæmonians is thought to haue bene enlarged, yet verely they are not to bee compared in the leaft part with Lycurgus lawes, and order, yea, more ouer by thefe occaffions, they hadde their armes both forwarde, and valiantly.

Neither when I was a childe, me thought Marcus Scaurus gaue place to Caius Marinus: nor when I had a doe in the common weale, Quintus Catulus to Cneius Pompeius. For of small force is the war abroad, but leffe there bee good aduice at home.

For Africanus both a fingular man, and captaine alfo did more profit the common weale in racing of Numante then at that time, Publius Nasica, a private man, did further it when hee flew Tiberius Gracchus. Howbeit this cafe indeede is not onely a Citie matter. For it belongeth alfo to the nature of

de Paufania, Lyfandro- que dicere, quorum rebus gestis quamquam imperium Lacedæmonijs dilatum putatur: tamen ne minima quidem ex parte Lycurgi Legibus & Disciplinz conferendi sunt. Quin etiam ob has ipsas causas, & paratiores haberent exercitus et fortiores.

Mihi quidem ne quis pueris nobis, Marcus Scaurus, Caius Mario: neque cum versaremur in Republica, Quintus Catulus Cneio Pompeio, cedere videbatur. Parua enim sunt fortis arma, nisi est consilium domi.

Nec plus Africanus singularis & vir & imperator, in excindenda Numantia, Republicæ profuit, quam eodem tempore Publius Nasica priuatus, cum Tiberium Gracchum interemit. Quamquam hæc quidem res non solum ex domestica est ratione, attingit

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attingit enim & bellicam, quoniam vi, manuque confecta est: sed tamen id ipsum gestum est, consilio vrbano sine exercitu. Illud autem optimum est, in quo inuadi solere ab inuidis & improbis me audio.

martiall feates, sth it was wrought by force, and by strong hand. But yet that same was done by citie counsell, without an army. And that is a goodly saying, wherewith I heare, that I am wont to be touched of the enuyous and lewde persons.

Cedant arma togæ:
concedat laurea lingue.

To the robe aboue armes,
let gloze belong:
And the lawrel giue place
to the Oratozs tongue.

Vt enim alios omit- tam, nobis rempub. gubernantibus, nonne togæ arma cesserūt? Nec enim in repub. periculum fuit grauius vnquā nec maius odium. Ita consilijs, diligentiaque nostra celeriter de manibus audacissimorum ciuium delapsa arma ipsa ceciderunt. Quæ res igitur gesta est vnquam in bello tanta? quis triumphus conferendus. Licet enim mihi, Marce fili, apud te gloriari,

For that I may passe ouer other, did not armes yelde vnto the roabe, when I gouerned the Common weale. For neyther in the common weale was euer a sorer perill nor yet a greater hatred. So by our counsaile and diligence, the very weapons full soone slyding out of the boldest Citizens hands, did fall to the ground? What enterpryse I pray you in Warre, was euer done so great? What triumph is there with it to be compared, For I may, Sonne Marke

Marke, gloꝝy befoze you, to whom both the inheritance of this gloꝝy, and the immitation of my deēds doth pertain. Cneus Pompeius a man flowing ful of martiall praises, gaue me this commendation in the hearing of many, that hee said, hee should in vaine haue boꝝne away the third triumph, except by my furtherance in the common weale, hee should haue had a place, where he might haue triumphed. Some manhood then is not inferiour to martiall, in which also we must bestow moꝝe labour & study then in this. For alwayes that honestie which we seeke in a hauty and a princely courage, is wrought by the strength of the minde, and not of the body. Yet the body must be exercised, and brought in such plight, as it may be able to follow counsaile and reason, in executing matters, and sustaining trauaile. But that honestie where after we search all, wholly consisteth in the care & casting of the mind, wher-

ad quem & hereditas huius gloriæ, & factorum imitatio pertinet. Mihi quidem certè vir abundans bellicis laudibus. Cneus Pompeius multis audientibus hoc tribuit, vt diceret, frustra se tertium triumphum deportaturū fuisse, nisi meo in rempublicam beneficio, vbi triumpharet, esset habiturus. Sunt ergo domesticæ fortitudines non inferiores militari- bus, in quibus plus etiā quàm in his, operæ studiique ponendum est. Omnino enim illud honestum, quod ex animo excelso, magnifico- que quærimus, animi efficitur, non corporis viribus. Exercendum tamen corpus, & ita afficiendum est, vt obedire consilio, rationiq; possit in exequendis negotijs, & in labore tolerando. Honestum autem id, quod exquirimus, totum est positum

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in animi cura & cogitatione. In quo non minorem utilitatem afferunt, qui togati Reipublice præsunt, quam qui bella gerunt. Iraque eorum consilio saepe aut non suscepta, aut confecta bella sunt, nonnumquam etiam illata, ut M. Catonis consilio, bellum tertium Punicum, in quo etiam mortui valuit auctoritas. Quare expetenda quidem magis est decernendi ratio quam decertandi fortitudo. Sed cauendum ne id bellandi magis fuga, quam utilitatis ratione faciamus. Bellum autem ita suscipiatur, ut nihil aliud nisi pax quaesita videatur. Fortis vero animi & constantis est, non perturbari in rebus asperis, nec tumultuantem de gradu deijci, ut dicitur, sed praesentis animi uti consilio, nec a ratione discedere. Quamquam hoc animi illud etiam ingenij

in they bring no lesse commo-
dity, who roabed do gouerne
the comen weale, then they
doe who armed doe make the
wars. And therefore by their
advice oftentimes warres be
either not begun or ended,
and many times attempted,
as by Marcus Catoes coun-
sayle, was the third Punike
warre, wherein the authori-
tie of the dead man auailed.
Wherefore rather wisdome
in determining, then manli-
nesse in fighting is to be de-
sired. But we must beware
that we take not by the
matter by aduice, more to
auoide warre, then for cause
of profit. And so let warre
be taken in hand, as no o-
ther thing may seme but
peace to haue bene sought.
And it is verily a token of
a manly courage, and a con-
stant, not to be disquieted
in rough stormes, nor in ma-
king a Churle to be thrust
from his place, as they say,
but to follow the counsell of
a present courage, nor yet to
fwarue from reason. Not-
withstanding they one come
of

of courage, & other proceeds
of a great wit, to fore con-
ceiue in mind things to come
and somewhat before to ap-
propt vpon what may befall
on both sides, & what is to be
done, when any thing shall
happen, nor to commit ought
that at any time one should
haue cause to say, had I wist.

These be his works of a great
and lofty courage, & leaning
vpon prudence and counsel.

But for a man to vse him-
selfe rashly in field, and so to
huckle with the enimie hand
to hand, it is a certaine bru-
tish & beastly thing, but whe-
re time is, & necessity requires,
a man must fight hand to
hand, and prefer death before
flaury and shame. But tou-
ching the raising and sacking
of Cities, this greatly is to
be considered, that nothing
rashly, nothing cruelly be
done. And it is the condition
of a stout harted man in the
sad of broiles, to punish the
offenders, to save the multi-
tude, in euery estate to main-
taine right and honesty. For
like as there be (as I said

magni est precipere co-
gitatione futura: & ali-
quantò antè constitue-
re, quid accidere possit
in vtramque partem: &
quid agendum sit, cum
quid euenerit, nec
committere aliquid, vt
aliquando dicendū sit,
non putaram. Hæc sunt
opera magni animi &
excelli, & prudentiæ,
consilioq; fidentis.

Temere autem in a-
cie versari, & manu cum
hoste confligere imma-
ne quiddam & bellua-
rum simile est. Sed cum
tempus, necessitasque
postulat, decertandum
manu est, & mors ser-
uituti turpitudiniq; au-
toponenda. De euerren-
dis autem, deripiendis-
que urbibus, valde ih-
lud considerandum est:
ne quid temere, ne quid
crudeliter fiat. Idq; est
viri magnanimi rebus
agitatis punire fontes,
multitudinem conser-
uare, in omni fortuna,
recta atque honesta ro-
tinere.

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tinere. Vt enim sunt (quemadmodum supra dixi) qui vrbanijs rebus bellicis anteponiunt: sic reperies multos, quibus periculosa & callida consilia quietis cogitationibus splendidiora & maiora videantur. Nūquam omnino periculi fuga committendū est, vt imbelles, timidiq̃ videamur, sed fugiendum etiam illud, ne offeramus nos periculis sine causa: quo nihil potest esse stultius. Quapropter in aduendis periculis consuetudo imitanda medicorum est, qui leuiter aegrotantes, leuiter curant, grauioribus autē morbis periculosas curationes & accipites adhibere coguntur. Quare in tranquillo tempestatem aduersam optare demētis est, subuenire autem tempestatī quauis ratione, sapientis: eoquē magis, si plus adipiscare re explicata boni, quā addubitata mali.

before) who doe preferre martiall feates before Citie causes: so many y^e finde many to whom dangerous and hot brayned deuises seeme glorioſer and greater then quiet counsels. We must neuer be seeking to escape perills, deserue to seeme cowards & dastards, but this we must take heed off, that we put not our selues, in daunger without cause: for there can be nothing foolisher then so to do, wherefore in aduenturing daungers, the guise of the Physicians is to be followed, who doe lightly cure the lightly diseased, but to sore sicknesse they be driuen to minister daungerous and doubtfull medicines. Therefore in calme to with a sore tempest, it is a madde mans part, but to make shift in a tempest by all manner meanes, it is a wise mans property, and so much the more, if y^e aitate more good when the thing is past, then harme when it was in doubt.

But

But the doing of matters be dangerous, partly to those which take them in hand, and partly to the common weale. And also some bee brought in hazard of their life, some of their glory, some of the peoples favour. We ought therefore to be readier to adventure our owne, then common perils, and to fight sooner for honour and glory, then for other commodities. But there haue bene found many who for their country were ready to spend, not onely their substance, but also their life, & those same yet would not bee content to lose one jot of their glory, no not though the common weale would require it: as Callicratides who when he was captaine of the Lacedemonians, in the Peloponnesian war, and had done many things worthely, in the end ouertuned all, when hee did not follow their aduise, who thought good to transport the flauie from Arginusus, & not to fight with the Athenians.

Periculosæ autem rerum actiones partim ijs sunt, qui eas suscipiunt, partim Reipub. Itemque alij de vita, alij de gloria & beneuolentia ciuium in discrimine vocantur. Proprius igitur debemus esse ad nostra pericula, quam ad communia: dimicareque paratius de honore & gloria, quam de cæteris commodis. Inuenti autem multi sunt, qui non modo pecuniam, sed vitam etiam profunderent pro patria parati essent: iidem gloriæ iacturam ne minimam quidam facere vellent, ne Republica quidem postulante: vt Callicratidas, qui cum Lacedæmoniorum dux esset Peloponnesiaco bello, multa que fecisset egregie, vertit ad extremum omnia, cum consilio non paruit eorum, qui classem ab Arginulis remouendam, nec cum Atheni-

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Atheniensibus dimi-
candum putabant: qui-
bus iller respondit, Lace-
dæmonios classe illa a-
missa, aliam parare pos-
se, se fugere sine suo de-
decore non posse. Atq;
hæc quidem Lacedæ-
monijs plaga medioeris
fuit, illa pestifera, qua
cum Cleombrotus in-
uidiam timens, temere
cum Epaminonda con-
fluxisset, Lacedæmoni-
orum opes corruerunt.
Quanto Quint' Max-
imus melius? de quo
Ennius:

Vnus homo nobis cun-
ctando restituit rem.
Non ponebat enim
rumores ante salutem.
Ergo magisq; magisq;
viri nunc gloriæ daret.

Quod genus peccandi
vitandum est etiam in
rebus vrbanis. Sunt e-
nim, qui quod sentiunt
etiam, si optimum sit,
tamen inuidiæ metu

To whom he made answer,
how the Lacedæmons, the
flaup being lost, might
make forth another: he could
not fly without his dishonour.
And this was no doubt, to
the Lacedæmonians a meetly
fore plague, but that was a
pestilent plague, whereby the
Lacedæmonians power fell
flat to the ground, when
Cleombrotus, fearing enuy,
had rashly encountered with
Epaminondas.

How much better did Quint'
Fabius Maximus: of whom
Quint' Ennius:

One wight there is, that
hath our wealth restored by
delays:
For he before all rumours
did our safeties set alwayes.
Wherefore in longer course
of time, the greater is his
praise.

Which kind of misdoing
must also be auoyded in Ci-
tie matters. For there be
men, who be it neuer so good
that they think, yet for feare
of enuy they dare not utter
it,

it, who so shalbe gouernors of the common weale, let them obserue two precepts of Platoes: one is, that they so maintain the profit of the commons, that whatsoeuer they do they refer it thereto, alwayes forgetting their own comodities. The other is, that they haue care ouer the whole body of the common weale, least while they uphold some one part, the rest they leaue destitute. For like as gardenship, euen so gouernment of the common weale ought to be vsed, to the profit of them who are committed, & not of them to whom it is committed. But who so prouides for part of the people, and of part be-retchlesse, they bring in sedition and discord, the thing most hurtfull to the common weale: whereby it befallerh that some doe seme people-pleasers, some affectionate to nobilitie, but few to the whole. Therof sprang great discension among the Athenians: and in our common weale, not onely seditions,

non audent dicere. Omnino qui Reipub. præsaturi sunt, duo Platonis præcepta teneant: vnum vt utilitatem ciuium sic tueantur, vt quicquid agunt ad eam referant, obliti commodorum suorum. Alterum, vt totum corpus Reipublicæ curent: nè dum partem aliquam tuentur, reliquas deferant. Vt enim tutela, sic procuratio Reip. ad utilitatem eorum, qui commissi sunt, non ad eorum, quibus commissa est, gerenda est. Qui autem parti ciuium consulunt, partem negligunt, rem perniciosissimam in ciuitatem inducunt, seditionem atq; discordiam. Ex quo euenit vt alij populares, alij studiosi optimi cuiusque videantur, pauci vniuersorum. Hinc apud Athenienses magnæ discordiæ, ortæ & in nostra Reipublica non solum seditiones, sed pestifera

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pestifera etiam bella ciuilia, quæ grauis, & fortis cuius in Republica dignus principatu fugiet atque oderit, tradetq; se totum Reipublicæ, neque opes aut potentiam conſectabitur: totamq; eam ſic tuebatur, vt omnibus conſulatur. Nec verò criminibus falſis in odium aut inuidiam quemquã vocabit: omninoq; ita iuſtitie, honeſtatiq; adhæreſcet, vt, dū eam conſeruet, quemuis grauius offendat, mortēq; appetat potius, quàm deſerat illa, quæ dixi. Miſerima eſt omnino ambitio, honorūq; contentio. De qua præclare apud eundē eſt Platonē, ſimiliter facere eos, qui inter ſe cōtenderent, vter potius Rempub. adminiſtraret, vt ſi nauis certarent, quis eorum potiſſimum gubernaret. Idemque præcipit, vt eos aduerſariōs exiſtimemus, qui arma con-

but alſo ſoze ciuill war: the which a graue and ſtout Citizen, and worthe of rule in the Common weale, will ſlye and hate: and giue himſelfe whole to the Common weale, and neyther hunt after riches noꝝ power: but will ſo defend the whole ſtate, as hee may provide for all men, noꝝ by falſe accuſation will hee bring any manne into hatred or enuy: but alwayes will ſo cleaue to iuſtice and honeſty, that whyle he may maintaine it, although hee ſoze offend oꝛther, he would deſire death, rather then forſake thoſe things that I haue ſpoken off.

Ambition no doubt, and ſtriving for promotion is a very miſerable thing, whereof it is notably ſaid in the ſame Plato, that ſemblably ſare they who would ſtrive together, whether of them ſhould rather rule the common weale, as if the Warri-ners ſhould be at variance which of thē ſhould chieſely gouerne the helme. And the ſame

same man hath taught vs, that those we take as enemies, which would beare armour against vs, & not those who by their discretion mean to preserve the common weal: as the discention betwene Publius Africanus, & Quintus Metellus, was without all bitterness of malice.

Neither are they worthe to be heard, which hold opinion that we should be thoroughly angry with our enemies, and doe think it is the property of a stout harted & manly man. For there is nothing more commendable, nothing more seemly for a great and noble man, then pleasableness & mercy. But in free Cities, and where there is an equalitie of law, there must be used also a mildnesse and noble courage as they call it: least if we be angry either with commers out of time, or cravers without shame, we fall into a restinesse of minde, both unprofitable & hatefull. And yet meekenesse and mercy is so to be allowed, that for the com-

tra ferant, non eos, qui suo iudicio tueri remp. velint: qualis fuit inter P. Africanum & Quintum Metellum sine acerbitate dissenso.

Nec verò audiendi sunt, qui graviter irascendum inimicis putabunt, idque magnanimi & fortis viri esse censebunt. Nihil enim laudabilius, nihil magno & præclaro viro dignius placabilitate, atque clementia. In liberis verò populis & in iuris æquabilitate, exercenda etiam est facilitas, & altitudo animi quæ dicitur: ne, si irascamur, aut intempesti accedentibus, aut imprudenter rogantibus, in morositatem invtilem & odiosam incidamus. Et tamen ita probanda est mansuetudo atque clementia, ut adhibeatur Reipublicæ causa severitas, sine qua administrari civitas non potest. Omnis

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Omnis autem & animaduersionis & castigatio contumelia vacare debet: neque ad eius, qui puniatur aliquem, aut verbis castigat, sed ad Reipub. vtilitatem refertur. Cauendum etiam ne maior poena, quam culpa sit, & ne eisdem de causis alij plestantur, alij ne appellentur quidem. Prohibenda autem maxime est ira in puniendo. Numquam enim iratus qui accedet ad poenam, modicam illam tenebit, quae est inter nimiam & parum: quae placet Peripateticis & recte placet, modo ne laudarent iracundiam, & dicerent vtiliter à natura datam. Illa verò omnibus in rebus repudianda est: optandumque ut ij, qui praesunt Reipublicae, legum similes sint, quae ad puniendum non iracundia sed aequitate ducuntur.

mon weales sake a feuerity be used, without which a Citie cannot be governed. But all punishment & chastisement must be void of malice, & not be applied to serue his turne who punisheth or rebuketh any man, but to the common weales behalfe. We must also beware, that the punishment be not greater then the fault, & leaue all for one matter, some be corrected, some not once spoken vnto. And in punishing we must chiefly restraime from anger. For the angry man that goeth about punishment, shall neuer keep that measure, that is betwixt too much and too little: the which measure lieth in Peripatetikes, & of good cause it liketh them, were it so, they wold not commend augrines, & say that it is profitable giuen of nature. But in all cases the affection is to be refused: and it is to be wished, that such as govern the comon weale be like the Lawes, which be moued to punish offenders, not vpon any wrath, but vpon equitie.

Sho 22

Moreouer, in prosperity, and when things flow euen at our will, let vs earnestly flye pride, disdainefulness, and arrogancie. For as it is a point of lightnesse, vnmensurably to beare aduersitie: so it is no lesse, vnmensurably to vse prosperitie: & a continuall euennesse in all a mans life, and one cheare euermore, and one manner of face, it is commendable, as we haue heard of Socrates, and also of Caius Lilyus.

Certes I see, how Phillip King of the Macedonians was excelled of his Son in prowesse, and gloze, yet in mildenes and gentlenes, hee was farre aboue him. Wherefore the one was alwayes noble, the other oftentimes full beastly, so that they seeme rightly to teach, which warne vs, that how much the higher we be in degree, so much the lower we beare our selves. Panetius reporteth, how Africanus his schollers familiar friend, was wont to say, like as Horses by reason of the diuers fights

Atque etiam in rebus prosperis, & ad uoluntatem nostram fluentibus superbiam, fastidium, arrogantiamque magnopere fugiamus. Nam ut aduersas res, sic secundas immoderate ferre leuitatis est, praeclaraque est aequabilitas in omni vita, & idem semper vultus, eademque frons ut de Socrate, itemque de C. Lilio accepimus.

Phillippum quidem Macedonum regem, rebus gestis & gloria superatum à filio: facilitate uero & humanitate uideo superiorem fuisse. Itaque alter semper magnus, alter saepe turpissimus fuit. Ut recte precipere uideatur qui movent, ut quanto superiores sumus, tanto nos summissius geramus. Panætius quidem Africanum auditorem, et familiarum suam solitum ait dicere: ut equos propter crebas contentiones praeciorum

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præliorū ferocitate ex-
ultātes domitoribus tra-
dere solent, vt his faci-
lioribus possint vti: sic
homines secundis re-
bus effrenatos, sibi que
præfidentes, tanquam in
gyrum rationis & do-
ctrinæ duci oportere,
vt perspicerent rerum
humanarū imbecillita-
tē, varietatēq; fortunæ.

Atque etiam in se-
cundissimis rebus max-
imè est vtendum con-
silio amicorum: ijsque
maior etiam, quàm an-
tè, tribuenda est autho-
ritas: ijsdemq; tempo-
ribus cauendum est, nè
assentatoribus patefaci-
amus aures, nec adulari
nos sinamus: in quo
falli facile est. Tales
enim nos esse putamus,
vt iure laudemur, ex quo
nascuntur innumerabi-
lia peccata: cū homi-
nes inflati opinionibus
turpiter irridentur, & in
maximis versantur erro-
ribus. Sed hæc quidem
hactenus.

of warre waxing ouer hot
and couragious, men vse to
put to riders that they may
haue them the readyer, euen
so men vnbideled with pro-
speritie, and ouertrusting to
thē selues, shoud be brought
as it were within the com-
passe of reason and learning,
that they might thoroowsee
the frailnes of the world, &
the wauering of fortune.

Moreouer in our highest
property, we must most of al
take the aduise of our friēds,
and wē must giue them also
a greater authoritē then we
did befoze, and in those sea-
sons, we must take hēd, that
wē open not our eares to
flatterers, nor suffer our
selues to be clawed with flat-
tery, wherein it is an easie
thing to be beguiled.

For we thinck our selues
such, that of right we may be
praised, whereof doe spring
innumerable faults, when
men puffed with opinion
be shamefully scorned, and
be wrapt in foolish errorrs.
But of these matters thus
far we treat.

This

This then is to be taken thus, that the greatest deeds and of the greatest courage, be done by them, which gouerne the common weale, because their ministration reacheth farthest, & to most men appertayneth. And that there be, and haue bene many, euer in the quiet life of great courage, which either would try out or take in hand certaine great enterprises, & would keepe themselves within the bounds of their owne matters : or else placed betwene Philosophers, & those that rule the common weale, would be delighted with their home goods : not heaping by the same by al manner of means, nor barring theirs from the vse thereof : but rather imparting them both to their friends, and to the common weale, if at any time there should be need. Which good first let it be well gotten, & with no dishonest or hateful gaine : next, let it be ready to doe good to many, so they be worthy : lastly, let it be

Illud autem sic est iudicandum : maximas geri res, & maximi animi ab ijs qui Respub. regant, quod carum administratio latissime pateat, ad plurimosque pertineat. Esse autem magni animi, & fuisse multos etiam in vita otiosa, qui aut inuestigarent, aut conarentur magna quaedam, seseque suarum rerum finibus continerent : aut interiecti inter Philosophos & eos qui Rempubliam administrarent, delectarentur re sua familiaris : non eam quidem omni ratione exaggerantes, neque excludentes ab eius usu suos, potiusque & amicis impertientes, & Reipub. si quando usus esset. Quae primum bene parta sit, nullo neque turpi questu, neque odioso, tum quam plurimis, modo dignis, se vtilem praebet, deinde augeatur ratione, diligentia

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diligentia; parsimonia: nec libidini potius, luxuriæque, quam liberalitati & beneficentiæ pateat. Hæc præscripta seruantem licet magnificè, grauiter, animoseque viuere: atq; etiam simpliciter, fideliter vitæque hominū amicè.

Sequitur vt de vna reliqua parte honestatis dicendum sit, in qua veracundia & quasi quidē ornatus vitæ, temperantia & modestia, omnisque sedatio perturbationum animi, & rerum modus cernitur. Hoc loco continetur id quod dici Latine decorum potest: Græcè enim *πρέπον* dicitur. Huius vis est, vt ab honesto non queat separari. Nam & quod decet honestum est, & quod honestum est, decet. Quæ autem differentia sit honesti & decori, facilius intelligi, quàm explanari potest.

increased with discretion, diligence, & thrift: and not, lye open rather to lust & riot, then to liberalitie, and bountifullnesse. These foresaid lessons who so obserueth: may liue both honorably, grauely and stoutly, & also plainely, faithfully, and friendly for the trade of mans life.

It followes, that we speak of the other part of honestie which remaineth, wherein chastitnesse & temperance as it were the certaine ornament of mans life, and sober mode, and all appeasement of passions of the minde, and the measure of things is seene. In this place also comeliness is containned, the which may be named Decorum in Latine, for in Græke it is called *πρέπον*. The nature hereof is such, that from honestie it cannot be sundred. For both what becommeth is honest, and also what is honest becommeth. But what difference ther is between honestie & comeliness it may sooner be conceiued then exprest.

For whatsoeuer it is, that becommeth, it then appeareth when honestie is gone before. And therefore not onely in this part of honesty whereof in this place we haue to dispute, but also in the three former parts it doth appeare what becommeth. For as it becommeth one to vse reason & speech discretely, to doe that he shou'd doe aduisedly: to espie and maintain whatsoeuer is in euery thing the truth: so contrariwise to be beguiled, to erre, to fall, to be deceiued, as much it misbecometh: as to dote, and be distraught in mind.

Thereto al iust things becomely: all vniust things againe as they be dishonest, so are they vncomely. Like is the nature of manlinesse. For what so is done manfully, and with a great courage, that doth seme meete for a man, and comely, what so goeth contrary: that as it is dishonest, euen so it is vncomely. Wherefore this comelinesse wherof I speak, doth pertaine to all honesty

Quicquid enim est, & deceat, id tunc apparet, cum antegressa est honestas. Itaque non solum in hac parte honestatis, de qua hoc loco differendum est, sed etiam in tribus superioribus, quid deceat, apparet. Nam & ratione vti, atque oratione prudenter: & agere quod agas considerate: omnique in re quid sit veri, videre & tueri decet: contraque falli, errare, labi, decipi, tam decet, quam delirare, & mente captum esse.

Et iusta omnia decorata sunt: iniusta contra, vt turpia, sic indecora. Similis est ratio fortitudinis. Quod enim viriliter animoque magro fit, id dignum viro, & decorum videtur, quod contra, id, vt turpe, sic indecorum. Quare pertinet quidem ad omne honestatem hoc, quod dico decorum: & ita pertinent, vt non recondita

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condita quadam ratione cernatur, sed sit in promptu. Est enim quiddam, (idque intelligitur, in omni virtute) quod deceat: quod cogitatione magis a virtute potest, quam re separari. Et ut venustas & pulchritudo corporis secerni non potest a valitudine: sic hoc, de quo loquimur, decorum, totum illud quidem cum virtute est confusum, sed mente & cogitatione distinguitur.

Est autem eius descriptio duplex, nam & generale quoddam decorum intelligimus, quod in omni honestate versatur: & aliud huic subiectum, quod pertinet ad singulas partes honestatis. Atque illud superius, sic ferè definiti solet: Decorum id esse, quod consentaneum sit hominis excellentiæ in eo, in quo natura eius à reliquis Animantibus differat.

indeed: and so pertaines that not after a certaine hidden sort it is seene, but stands in open sight. For a certaine thing there is, that becometh, and the same is perceived in every vertue: which more by imagination then in deed may be severed from vertue. For as goodlinesse and beauty of body cannot bee parted from health, so this comelinesse whereof we treat, is altogether blended with vertue, but yet in ones minde and thought it may be diuided.

But the description thereof is of two sorts, for both we conceiue a generall comelinesse to be, which in all honesty hath to doe, and another speciall comelinesse vnder this, which belongeth to every paticular part of honesty. And the former thus in a manner is wont to be defined, that it is comely, which is agréable to mans excellency, in that wherein his nature is different, from other liuing Creatur es.

But

But they define the part which is vnder the generall, in such wise, that yet they will haue it to bee counted comely, which is so to nature agreeable, as it may appeare both in measurableness and temperance, with a certaine honest shew. That these be thus meant, of the Philosophers, we may gesse by the comelinesse, which the Poets follow, whereof in another place we are wont to say more. But then, we say the Poets keepe that grace which becometh, when it that to each person is fitting, both is done and said: as if either Eacus or Minos should say:

Well let them hate, a while they stand in feare: or this,

This childrens graue the parent selfe now is.

Uncomely it should seeme because we haue heard that they were iust men. But Atticus saying so, it is liked of the hearers, because the speech is fit for the person. But Poets will iudge by the person what is comely

Quæ autem pars subiecta generi est, eam sic definiunt, vt id decorum esse velint, quod ita naturæ consentaneum sit, vt in eo moderatio & temperantia appareat, cum specie quadam liberali. Hæc ita intelligi à Philosophis existimare possumus ex eo decoro quod Poetæ sequuntur, de quo alio loco plura dici solent, Sed tum seruare illud Poetas, quod deceat dicimus, cum id, quod quaque persona dignum est, & fit & dicitur: vt si Eacus, aut Minos diceret:

Oderint dum memant,
aut

Natis sepulchrum ipse
est parens.

Indecorum videtur, quod eos fuisse iustos accepimus. At Atticus dicente plausus excitatur, est enim digna persona oratio. Sed Poetæ, quid quemque deceat, ex persona iudicant,

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bunt. Nobis autem personam imposuit ipsa Natura magna cum excellentia, præstantiaq; animantium reliquorū. Quocirca Poetæ in magna varietate personarum, etiam vitiosis quid conueniat, & quid deceat, videbunt. Nobis autem cum à Natura, constantiæ, moderationis, temperantiæ, verecundię partes datæ sint, cumque eadem natura doceat non negligere, quemadmodum nos aduersus homines geramus, efficitur, vt & illud quod ad omnem honestatem pertinet, decorum quam latè fustum sit, appareat: & hoc quod spectatur in vno quoque genere virtutis Vt enim pulchritudo corporis, apta compositione membrorum mouet oculos, & delectat hoc ipso, quod inter se omnes partes quodam lepore consentiunt: sit hoc decorum, quod

for euery body: howbeit nature her selfe hath put vpon vs a personage of great excellencie, and preheminence aboue all other liuing creatures. Wherefoze Poets in the great diuersitie of persons, will espie what is fit, euen for the wicked sort, and what becommeth them. But seeing the parts of stedfastnes, measurablenesse, temperance, and shamesfastnesse, be appoynted vs by nature, and seeing the same nature teacheth vs, not to be retchlesse, after what sort we behaue our selues to euery man: it comes to passe that both it appeareth, how far the comeliness which appertaines to all honestie doth reach, and this also, which is marked in euery kind of vertue. For as the beautifulesse of the body with proportionable making of the lims, moueth a mans eyes and delighteth them euen with this, that all the parts, with a certaine grace agré together, right so this comeliness that shineth abroad in our life, winneth their

their liking with whom we live by an order, stedfastnesse, and measurablenesse in all our wordes and deeds.

There must be vsed therefore a certaine reuerence toward men, both to euery one of the best sort, and also to the rest of meaner degree. For it is not onely a signe of an arrogant body, but also of one altogether lawlesse, to bee retchlesse, what euery man thinketh of him. But there is a difference between iustice and shamesfastnesse, in euery respect that is to be had. It is the part of Iustice, to offer men no violence: of shamesfastnesse, to offend no body: wherein the nature of comelinesse is most througely seen. These things then declared, I thinke it sufficiently conceiued, what thing that is, which we say becommeth.

But the ducty that proceedeth of comelinesse, chiefly taketh his way, which leadeth to the agreeablenesse and preservation of nature,

elucet in vita, mouet approbationem eorum, quibuscum uiuitur ordine, & constantia, & moderatione dictorum omnium atq; factorum. Adhibenda est igitur quædam reuerentia aduersus homines, & optimi cuiusque, & reliquorum. Nam negligere, quid de se quisque sentiat, non solum arrogantis est, sed etiam omnino dissoluti. Est autem quod differat in omni ratione habenda, inter iustitiam & verecundiam. Iustitiæ partes sunt, non violare homines: verecundiæ, non offendere, in quo maxime perspicitur vis decori. His igitur expositis, quale sit id, quod decere dicimus, intellectum puto.

Officium autem quod ab eo ducitur, hanc primum habet viam, quæ deducit ad conuenientiam, conseruationem, quæ naturæ, quam si sequemur

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sequemur ducem, numquam aberrabimus: sequemurque & id, quod acutum & perspicax natura est, & id quod ad hominum consociationem accommodatum est, & id quod vehemens atque forte. Sed maxima vis decori in hac inest parte, de qua disputamus. Neque enim solum corporis qui ad naturam apti sunt, sed multo etiam magis animi motus probandi, qui item ad naturam accommodati sunt. Duplex est enim vis animorum atque naturæ. Vnapars in appetitu posita est, quæ est *ὁρμη* Græcè, quæ hominem huc & illuc rapit. Altera in ratione, quæ docet & explanat, quid faciendum fugiendumque sit. Ita fit, ut ratio præsit, appetitus obtemperet. Omnis autem actio vacare debet temeritate et negligentia: nec verò agere quicquid

whom if wee will follow as guide, we shall neuer goe amisse, and shall follow both that which hath in it witness & through sight by nature, and that which is agreeable for the fellowship of men, and that which is earnest and manly. But the greatest effect of comlinesse standeth in this part of vertue, whereof we now treat. For not onely the movings of the body, which agree to nature, are to be allowed: but much more the motions of the mind, that likewise be agreeable to nature, are to be commended. For the power of the minde and of nature stands in two parts. The one is placed in appetite, which in Græke is *ὁρμη*, and this hether and thether hath a man: that other hath place in reason, which teacheth and sheweth plainly what is to be done, and what to be refused. So saileth it that reason ruleth and appetite obeyeth. But all our doings must be without rashnesse and negligence: neyther

neither ought a man to doe any thing whereof he is not able to render a prouable cause. For this in a manner is the definition of dutie. But we must bring to passe that our appetites obey reason, and neither run before it, neither for slouth or dastardlines drag behinde it: and that they be quiet and void of all stir, & trouble of mind, whereby all steadfastnes and measurableness shall appeare in sight. For appetites which goe ouer far astray, and (as it were) ouer hot, either in longing after things, or flying from things, be not stayed inough by reason: these without doubt exceede their boundes and measure. For they forsake & set aside obedience, nor yet do yeild to reason, whereunto they be made subiect by the law of nature. But with such motions, not onely mens minds be troubled, but also their bodies: we may see in the very face of the angry, or of them, who either with any lust, or with feare be stirred, or in ouer-

cuius non possit causam probabilē reddere. Hęc est enim ferē descriptio officij. Efficiendum autem est, vt appetitus rationi obedeant: eamq; neq; præcurrant propter temeritatem, nec propter pigritiam aut ignauiam deserant; sintq; tranquilliatq; omni animi perturbatione careant, ex quo elucebit omnis constantia, omnisq; moderatio. Nam qui appetitus longius euagantur & tanquā exultantes siue cupiendo, siue fugiendo, non satis à ratione retinentur, hi sine dubio finem & modum transeunt. Relinquunt enim & abijciunt obedientiam, nec rationi parent, cui sunt subiecti lege naturæ. A quibus non modo animi perturbantur, sed etiam corpora. Licet ora ipsa cernere iratorum, aut corū qui aut libidine aliqua, aut metu commoti sunt,

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aut voluptate nimia gestiunt: quorum omnium vultus, voces, motus statusque mutantur.

Ex quibus illud intelligitur (vt ad officij formam reuertamur) appetitus omnes contrahendos, sedandosque esse: excitandamque esse animaduersionem & diligentiam, vt nequid temerè, ac fortuito, inconsideratè, negligenterque agamus. Neque enim ita generati à natura sumus, vt ad ludum & iocum facti esse videamur, sed ad seueritatem potius, & ad quædam studia grauiora, atque maiora. Ludo autem & ioco, vti illis quidem licet sed sicut somno, & quietibus cæteris, tum cum grauius scrijsque rebus satis fecerimus. Ipsumque genus iocandi non profusum, nec immodestum, sed ingenuum, & facetum esse debet. Vt enim pueris non omnem

much pleasure doe reioyce: for therewith the countenance boyce, mouing, and resting of them all is chaunged.

Of which things this is gathered (to the intent we may returne to the forme of dutie) that all appetites are to be pulled in & asswaged: and that we must take good heede and diligence, that we doe nothing rashly and ventrouslly, nor vnadvisedly, and negligently. For we be not to this end engendered of nature, that we should seeme to be created for play and iest, but we be rather boyn to sagenesse, and to certaine grauer & greater studies. Yet we may lawfully vse iesting and pastime, but euen as we doe sleepe, and other restings, at such time as we haue sufficiently ended graue & earnest causes. And the very manner of our iesting must not be to large, nor vnsober, but honest and pleasant. For as we giue not children al manner liberty of playing, but such as serueth not from honest exercises:

exercises: so in our very iest-
ing, let there appeare some
light of honest wit. To bee
short, after two sorts is the
manner of iesting: the one
vnhonest, railing, hurtfull,
bawdy: the other fine, ciuill,
witty, pleasant: with the
which kinde not onely our
Plautus and the old Comedy
of the Attikes, but also the
bookes of Socraticall Phi-
losophers bee wel stored: and
there be of many men many
merry said sawes, as those
that of old Cato be gathered,
which bee called ἀποφθειγ-
ματα. Caste therefore is
the difference betwene ho-
nest and vnhonest iesting.
The one is meete for an ho-
nest man, if it bee done in
season, and with a light
heart: the other meete for
no man, if the vncleanness
of the matter bee increa-
sed with the filthinesse of
words.

Also in pastime there is
a certaine measure to bee
kept, that we be not there-
in altogether excessive, and
puffed vp with pleasure, fall

licentiam ludendi da-
mus, sed eamque ad ho-
nestatis actionibus non
sit aliena: sic in ipso io-
co, aliq̃ probi ingenij
lumen eluceat. Duplex
omnino est iocandi ge-
nus, vnum illiberale, pe-
tulans, flagitiosū, ob-
scœnū: alterū elegans,
vrbanum, ingeniosum
facetū, quo genere non
modo Plautus noster &
Atticorum antiqua co-
mœdia sed etiam philo-
sophorū Socraticorum
libri referti sunt, multa-
q̃; multorū facetē dicta,
vt ea quę a sene Catone
sunt collecta, quę vo-
cantur ἀποφθειγμα-
τα. Facilis igitur est di-
stinctio ingenui & illi-
beralis ioci. Alter est, si
tempore fit, ac remisso
animo, homine libero
dignus. Alter ne homi-
ne quidem, si rerum tur-
pitudini adhibetur ver-
borum obscœnitas. Lu-
dendi etiam est quidam
modus retinendus, vt ne
nimis omnia profunda-
mus,

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mus, elatiq; voluptate in aliquā turpitudinem delabamur. Suppeditat autē & campus noster, & studia venandi, honesta exempla ludendi.

Sed pertinet ad omnem officij quæstionē, semper in promptu habere, quantum natura hominis pecudibus, reliquisq; bestiis antecellat. Illæ enim nihil sentiunt nisi voluptatē, ad eamq; feruntur omni impetu: hominis autem mens discendo alitur, & cogitando semper aliquid aut inquit, aut agit: videndiq; & audiendi delectatione ducitur. Quin etiam si quis est paulo ad voluptates propensior: modò ne sit ex pecudū genere (sunt enim quidam homines non re sed nomine) sed si quis est paulo erectior, quamvis voluptate capiatur, occultat & dissimulat appetitū voluptatis, propter verecundiam. Ex quo intelligitur

into some dishonesty. But both our martiall field, and also our exercises of hunting doe finde vs honest example of pastime.

But it belongs to the whole discourse of Duetie, euermore to haue in minde, how farre mannes nature exceedeth the Nature of beastes. For they feele nothing but pleasure, & there vnto be carried with their whole sway: but mans wit is sed with learning, and by studying either searcheth, or doth alwayes somewhat: and is led with the delight of seeing and hearing. Vea moreouer, if there be any somewhat with the most enclined to pleasures, so hee be not of the beastly kinde: (for some there be, not men in deed, but in name) but if there be any man that is somewhat more greedelie minded, though with pleasure he be caught, he hideth and dissembleth his appetite of pleasure for very shamefastnesse. Wherof it is sone perceiued, the pleasure of the body

body is not worthy to be matched with the excellency of man, and that it ought to be despised & reiected. But if there be any man, who some deale yeeldeth vnto pleasure, he must very warily keepe a measure, in enioying the same.

And therefore let the feeding, and apparelling of the body be referred to health and strength, not to voluptuousnesse. And thereto if we will consider what an excellence, and a dignitie there is in nature, we shall vnderstand how foule it is to overflow in ryot, and liue diliciously and wantonly, and how honest it is to leade our life sauingly, chastly, sagely, and soberly.

We must vnderstand also that we be clad by nature (as it were) with two persons. Whereof the one is common, because we all be pertakers of reason, and the preheminance, whereby we surmount beasts, fro which reason, all honesty, & comeliness is deriued, and out of

corporis voluptatem, non satis esse dignā hominis præstantia, eamq; contemni & reijci oportere. Sin sit quispiam qui aliquid tribuat voluptati, diligenter ei tenendum esse eius fruendæ modum.

Itaque victus cultusque corporis ad valetudinem referantur, & ad vires, non ad voluptatem. Atq; etiam si considerare volumus, quæ sit in natura hominis excellentia, & dignitas, intelligemus, quæ sit turpe diffuere luxuria, & delicatè ac molitur viuere: quamque honestū, parcè, continenter, seuerè, sobrièq;

Intelligendum etiam est duabus quasi nos à natura indutos esse personis. Quarum vna est communis, ex eo quod omnes, particeps sumus rationis, præstantiæque eius, qua antecellimus bestiis, à qua omne honestum decorumq;

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rumque trahitur, & ex qua ratio inueniendi officij exquiritur: altera autem, quæ propriè singularis est attributa: vt enim in corporibus magnæ dissimilitudines sunt (alios enim videmus velocitate ad cursum, alios viribus ad luctandum valere, itemque in formis alijs dignitatem inesse in alijs venustatem) sic in animis existunt etiã, maiores varietates. Erat in Lucio Crasso, & in Lucio Philippo multus lepos: maior etiam, magisque de industria, in C. Cæsare Lucij filio. At iisdem temporibus in Marco Scauro, & in M. Druso adulescente singularis severitas: in Caio Lælio multa hilaritas: in eius familiari, Scipione, ambitio maior vita tristior. De Græcis autem, dulcem & facetum, festiuique sermonis atque in omni oratione simulatorem, quem εἰρωνεύς Græci

the which the way of finding duty is sought, the other is that, which properly to each man is assigned. For as in bodies there be great difference (for some we see passe other in swiftnesse to runne, some in strength to wrestle, and likewise in faces, some haue a portly looke, some an amiablenes (so also in minds there be farre greater diuersities. There was in Lufius Crassus and Lucius Philippus much pleasantnes: but greater and more of set purpose in Caius Cæsar, Lucius his Sonne. And at those dayes in Marcus Scaurus, and in Marcus Drusus the young man, there was a singular grauitie: in Caius Lelius, much mirth: in Scipio his familiar, both greater honour seeking, and a sadder life. But of the Grecians, Socrates we haue heard, was pleasant, and feat conceited, a merry talker, and in all his words a mocker, whom the Greekes named εἰρωνεύς: contrariwise Pithagoras and Pericles attained
very

very high authoritie, without any mirth at all. Of the Penes Anniball was crafty: of our Captaines Quintus Maximus, we haue heard say, he had a meruailous cunning in cloaking, in keeping in, in dissembling, in making a steale, in preventing the deuices of the enemy. In which kinde, the Grækes befoze all other doe preferre Themistocles the Athenian, and Iason the Pharaian. And chiefly the subtile and craftie daëde of Solon, who that both his life should be the safer, and somewhat the more he might further the Common weale, fained himselfe to be madde. There be other farre vnlike to these, plaine and open, which doe thinke nothing in secret, nothing in guile meete to be wrought, and be louers of trueth, and enemies to deceit.

And againe, there be other who would any thing endure, and do seruice to any man, so they might obtaine that they desire, as we did see

nominauerunt Socratem accepimus. Contra Pithagoram & Periclem summam auctoritatem consequutos, sine vlla hilaritate. Callidum Annibalem ex Pœnorum: ex nostris Ducibus, Qu. Maximū accepimus, facile celare, tacere, dissimulare, insidiari, præcipere hostium consilia. In quo genere Græci Themistoclē Athenientem, & Phæreum Iasonem ceteris anteponūt. In primisq; versutum & calidum factū Solonis: qui quo tutior vita eius esset, & plus aliquanto Reip. prodesset, furere se simulauit. Sūt his alij multū dispares, simplices & aperti, qui nihil ex occulto, nihil ex insidijs agendū putant, veritatis cultores, fraudis inimici.

Itemque alij, qui quiduis perpetiantur, cuius deseruiant, dum quod velint, consequantur: vt Syllam, & M. Crassum

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Crassum videbamus. Quo in genere versutissimum & patientissimum Lacedæmonium **Lylandrum** accepimus: contraq; **Callicratidē**, qui præfectus **Classis** proximus post **Lylandrum** fuit.

Itemq; in sermonibus alium quidem videmus, quamuis præpotens sit, efficere vt vnus de multis esse videatur, quod in **Catulo** & in **patre**, & in **filio**, itemq; & in **Qu. Mutio Mancino** vidimus. Audiui ex maioribus natu hoc idem fuisse in **Pub. Scipione Nasica**: contraque patrem eius, illum qui **Tiberij Gracchi** conatus perditos vindicauit, nullam comitatem habuisse sermonis. Ne **Xenocratem** quidem. seuerissimum **Philosophorum**: ob eamque rem ipsam & magnum & clarum fuisse. Innumerabiles alie dissimilitudines sunt

Silla and **Marcus Crassus** vse themselves. Of which sort, we haue heard **Lylander** the **Lacedemonian** was the subtlest and could most abide. And contrariwise, of **Callicratides**, who was **Admirall** of the **Flaue**, next after **Lylander**.

And likewise we see an other man in talke, though he be of great authoritie, to order the matter, that he seems one of the common sort. Which in **Catulus** both father and the sonne, and the same in **Quintus Mutius Mancinus**, we haue scene. I haue heard mozeouer of mine **Elders**, the same to haue bene in **Publius Scipio Nasica**. And contrariwise, his father, euen him that auenged **Tiberius Gracchus** wicked enterprises, to haue had no gentle grace of speach.

No no? **Zenocrates**, who was the sagest of the **Philosophers**, and for the selfe same thing became great and famous. Innumerable other diuersities ther be of nature and

and of manners, no deale
yet dispraisable. But eue-
ry mans owne gifts, not
such as bee faultie, but na-
turall, are earnestly to bee
maintayned, whereby the
sooner may the comelinesse be
kept which wee doe seeke.
For in such wise wee must
worke, as against all na-
ture we neuer strue. Which
thing auoyded, let vs fol-
low our own proper nature,
so that though there bee o-
ther studies gauer and bet-
ter, yet let vs measure our
owne, by natures rule. For
neither it is to any purpose
to fight against nature, nor
to ensue any thing that we
cannot attaine. Whereupon
it more appeares what man-
ner of thing this comelinesse
is, because nothing becom-
meth Mawger Minerva, as
they say, that is, Nature
withstanding, and resisting
it. In briefe, it ought bee
comely, of truth there is no-
thing more seemely, than
an euennesse in all mans life,
and euery of his dwings:
which you cannot keepe, if

naturę mortimque, mi-
nimè tamen vituperan-
dorum. Admodum au-
tem tuenda sunt sua cui-
que non vitiosa, sed ta-
mè propria, quo facilius
decorum illud, quod
quærimus retineatur.
Sic enim est facien-
dum, vt contra naturam
vniuersam nihil con-
tendamus. Ea tamen
conseruata propriâ na-
turam sequamur, vt eti-
am si sint alia grauiora
atque meliora, tamen
nos studia nostra natu-
rę regula metiamur.
Neque enim naturę at-
tinet repugnare, nec
quicquam sequi, quod
assequi nequeas. Ex quo
magis emergit, quale sit
decorum illud, ideo quia
nihil decet inuita (vt ai-
unt) Minerva, id est,
aduersante & repug-
nante natura. Omnino
si quicquam est deco-
rum, nihil est profecto
magis quàm æquabili-
tas vniuersę vitę, tum
singularum actionum,
quàm

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quam conseruare non possis, si aliorum naturam imiteris, omittas tuam. Vt enim sermone eo debemus uti, qui notus est nobis, ne (vt quidam) græca verba inculcantes, iure optimo irridemur, sic in actiones omnemque vitam nullam discrepantiam conferre debemus. Atque hæc differentia naturarum tantam habet vim, vt nonnumquam mortem sibi ipse consciscere alius debeat, alius in eadem causa non debeat. Non enim alia in causa M. Cato fuit, alia ceteri, qui se in Africa Cæsari tradiderunt. Atqui ceteris forsitan, vitio datum esset, si se interemissent, propterea quod lenior eorum vita, & mores fuerunt faciliores: Catoni autem cum incredibilem tribuisset natura grauitatem, eamque ipse perpetua constantia roborauisset, semperque in proposito, susceptoque con-
you counterfayte anothers nature, and let passe your owne. For as we ought to vse that speech, which is knowen to vs, least as some men chopping the Greeke words, we bee worthele mocked at: so in our doings and all our life, we ought to shew no contrarietie. And this difference of Nature hath so great a power, that other whilesome one man ought to kill himselfe, some other in the same quarrell ought not. For Marcus Cato was not in one quarrell, and the rest in another, who yielded themselves vnto Cesar in Africa. Yet to the rest perchaunce it should haue bene compted a reproach, if they had slaine themselves: because their life had bene daintier, and their manners milder: but when Nature had giuen Cato an vncredibie grauitie, and the same he had strengthened with a continuall stedfastnesse: and alwayes had remayned in his intent, and determined purpose, it was.

was meete for him rather to
die, then to looke vpon the
tyrants face.

How many paines sustat-
ned Vlisses, in that long
wandering? when both to
women he did seruice, (if
Circe and Calypso are to
bee named Women) and
to all men in all his talke,
he would be fayre spoken:
and also at home did beare
the spight of the slaues, and
nieces: that he might once
attaine to the thing, which
he desired. But Ajax with
the courage, that he is repor-
ted of, had rather die a thou-
sand deathes, then to suffer
those things of another man.
Which diuersities when we
behold, it shall be necessary
to weigh what each man
hath of his owne, and to or-
der those gifts, and not to
haue a minde to try, how o-
ther mens graces would be-
come him. For that becom-
meth each man, which is
most of all his owne. Let e-
uery man therefore know
his owne disposition: & let
him make himselfe a sheepe

filio permansisset, mo-
riendum potius quam
Tiranni vultus aspicien-
dus fuit. Quam multa
passus est Vlysses in il-
lo errore diuturno, cum
& mulieribus (si Circe
& Calypso mulieres ap-
pellandæ sunt) inferui-
ret, & in omni sermone
omnibus affabilem &
iucundum se esse vellet:
domi vero etiam contu-
tumelias seruorum, an-
cellarumque pertulit: vt
ad id aliquando, quod
cupiebat, perueniret. At
Ajax, quo animo tra-
ditur millies oppetere
mortem, quam illa per-
peti ab alio maluisset.

Quæ contemplantes
ex pendere oportebit,
quid quisque habeat sui,
eaeque moderari, nec
velle experiri quam se
aliena deceant. Id enim
quemque decet, quod
est cuiusque suum max-
imè. Suum igitur quis-
que noscat ingenium:
acremque se & bono-
rum & vitiorum suorum
H iudicem

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iudicem præbeat : ne scenici plus quàm nos videantur habere prudentiæ. Illi enim non optimas, sed sibi accommodatissimas fabulas eligunt. Qui enim voce freti sunt, Epigonos, Medeamque. Qui gestu Menalippam vel Clytemnestram. Semper Rupilius, quem ego meminimus, Antiopam : non sæpe Æsopus Aiacem. Ergo histrio hoc videbit in scena, quod non videbit sapiens vir in vita? Ad quas igitur res aptissimi erimus, in ijs potissimum elaborabimus. Sin aliquando necessitas nos ad ea detruferit, quæ nostri ingenij non erunt, omnis adhibenda erit cura, meditatio, diligentia, vt ea si non decorè, at quàm minimè indecore facere possimus. Nec tam est enitendum, vt bona, quæ nobis data non sunt, sequamur, quam vt vitia fugiamus.

iudge both of his vice and of his vertues : least players may seeme to haue more discretion then we. For they doe chuse not the best Enterludes, but the fittest for themselves. For who vpon their voyces bee bold, they take Epigones, & Medea : who vpon gesture, doe take Menalippa and Clytemnestra : Euermore Rupilius, whom I remember tooke Antiopia : not often Esopus tooke Ajax. Shal a Player then see this in the stage, that a wise man shall not see in his life : We shall chiefly therefore labour in those things wherevnto we shall bee most apt. But in case necessitie shall driue vs sometime to those things which shall not bee for our disposition : all care, studie, and diligence must bee imployed : that if wee doe them not comely, yet with as little vncomelinesse as may be, neither ought wee so much to endeaour our selues to follow the vertues which bee not giuen vs, as to flye vices.

And

And vnto these two persons, which befoze I named, there is a third person ioyned: which some chaunce, or time casteth on vs. The fourth also is that which we shall fashion to our selues, after our owne minde. For kingdomes, Emppres, nobilitie, honour, riches, power, and those which be contrary to these, being placed in Fortunes hand, be ordered according to the times: but what person we our selues list to beare, proceedeth of our owne free will. And therefore some to Philosophy, some to the Ciuill Law, some to eloquence doe apply themselves: and for the vertues some haue more minde to excell in one, and some in another: and whose fathers & auncestors in any commendation haue bene notable: the most part of theirs doe study in the same kind of prayse to excell: as Quintus Mutius, Publius sonne, did in the ciuill Law: Africanus, Paulus son in feats of armes. But diuers do add

Ac duabus his personis, quas supra dixi, tertiam adiungitur, quam casus aliquis vel tempus imponit. Quarta etiam, quam nobismetipsis iudicio nostro accomodamus. Nam regna, imperia, nobilitates, honores, diuitiae, opes, eaque quae sunt his contraria in casu sita temporibus gubernantur. Ipsi autem quam personam gerere velimus, à nostra voluntate profiscitur. Itaque se alij ad philosophiam: alij ad Ius ciuile: alij ad Eloquentiam applicant: ipsarumque virtutum in alia aliis mavult excellere. Quorum vero patres aut Maiores, in aliqua gloria praestiterunt, student eorum plerique eodem in genere laudis excellere: vt Quintus Mutius, Publij filius in Iure ciuili: Pauli filius, Africanus in re militari. Quidam autem, ad eas laudes, quas à

patribus

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patribus acceperunt, addunt aliquam suam. Vt hic idem Africanus eloquentia cumulat bellicam gloriam. Quod idem fecit Timotheus Cononis filius, qui cum belli laude non inferior fuisset quā Pater, ad eam laudem doctrinæ & ingenij gloriam adiecit. Fit autem interdum, ut nonnulli omnis imitatione maiorum, suum quoddam institutum consequantur: maximeque in eo plerumque elaborant ij, qui magna sibi proponunt obscuris orti maioribus. Hæc igitur omnia cum quærimus quid deceat, complecti animo, & cogitatione debemus.

In primis autē constituendū est, quos nos & quales esse velimus, & in quo genere vitæ, quæ deliberatio est omnium difficillima. Inunte enim adolescentia, cum inest maxima

some of their own, vnto those praises, that they receiued of their fathers: as this same Africanus, with eloquence encreased the heape of his martiall glory: which selfe same Timotheus, Conosus son did also: who, when in praises of war, to his father he was not inferiour, did ioyne to that cōmendation the glory of wit and learning. But it so falleth now and then, that some letting go the imitation of their Vncestors, doe follow a certaine trade of their owne: and therein for the most part they chiefly trauaile: who appoint themselves great enterprizes, being borne of scarce knowne parents. In our minde and thought then we must cast al those things when we search to know what becommeth.

But first of all we must determine whom and what manner men we would haue our selues, and of what kind of life. Which aduise ment is the hardest of all. For at the entering into the yeers of discretion, when there is most slenderesse

flenderneſſe of counſel, euery man doth appoynt himſelfe the trade of leading his life, which he hath loued moſt of all : and ſo he is entangled with ſome certaine kind, and courſe of life, befoze he was able to iudge, what ſhould be beſt. For whereas Prodicus ſaith that Hercules (as is in Xenophon) as ſoone as he waxed wheye-bearded, which time is graunted of nature, to choſe what way of liuing each man wil enter, went forth into deſart, and ther ſitting much and a long while doubted with himſelfe when he beheld two wayes, the one of pleaſure, the other of vertue : whether of them it were better to enter : this might peraduenture happen to Hercules that was bozne of Iupiters ſeed : but not ſo to vs, who do follow thoſe that euery one of vs liſt to follow, and be allured to their ſtudyes, and faſhions. And for the moſt part, being traded by with our Parents Precepts, we incline to their guiſe and manner.

imbecillitas conſilij, tunc id ſibi quiſq; genus ætatis degendæ conſtituit, quod maximè adamauit : itaq; antè implicatur aliquo certo genere, curſuq; viuendi, quam potuit, quod optimum eſſet iudicare. Nā quod Hercules Prodicus dicit (ut eſt apud Xenophontē) cum primum pubeſceret (quod tempus à natura ad deligendū quam quiſq; viam viuendi ſit ingreſſurus, datum eſt, exiſſe in ſolitudinem, atq; ibi ſedentem diu ſecum, multūq; dubitaſſe, cum duas cerneret vias, vnam voluptatis, alterā virtutis, vtram ingredi melius eſſet. Hoc Herculi Iouis ſatu edito potuit fortasſe contingere, nobis non idē, qui imitamur quos cuiq; viſum eſt, atq; ad eorum ſtudia inſtitutaq; impellimur. Plerūq; autem parentū præceptis imbuti ad eorū conſuetudinem, morumq; deducimur.

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Alij multitudinis iudicio feruntur, quæque maiori parti pulcherrima videntur, ea maxime exoptant. Nonnulli tamen siue felicitate quadam siue bonitate naturæ, siue parentum disciplina rectam vitæ secuti sunt viam. Illud autem maxime rarum genus est eorum, qui aut eccellente ingenij magnitudine, aut præclara eruditione, atque doctrina, aut vtraque re ornati, spacium etiam deliberandi habuerunt, quem potissimum vitæ cursum sequi vellent, in qua deliberatione ad suam cuiusque naturam consilium est omne reuocandum. Nam cum in omnibus quæ aguntur, ex eo modo quousque natus est (vt supra dictum est) quid deceat exquirimus, tum in tota vita constituenda, multo est eius rei cura maior adhibenda, vt constare in vitæ perpetui-

Other be carried after the iudgement of the multitude, and long after those things most, which to the greater part seeme godliest. Many neuerthelesse, whether of a certaine lucke, or of a goodnesse of nature, or by the instruction of their Parents, haue followed the right trade of life. But that kinde of men is seldome found : who after they be either of excellent profoundnes of wit or of a famous learning and knowledge, or with both these adozned, haue got a time to take aduise ment, what race of life they would the ratherest runne : in the which aduice, all a mans counsell is to be applyed to each mans proper nature. For Athens in all things, that be done, out of the nature, wherewith euery man is borne (as before is sayd) we search what becommeth : then, in poynting out the whole life, much more regard thereof must be had : that in the continuing of our life we may agree with
our

our selues, and neuer hault
in any duety.

But to this choice, scéing
Nature hath the greatest
power, and fortune the next:
there must consideration be
had of them both alwayes,
in chosing the kinde of ones
life : but of nature moze.
For nature is much the su-
rer and the stedfaster, so that
fortune many times, as moze-
tall her selfe, seémeth with
immortall nature to fight.
Who so then will apply all
the purpose of his life accor-
ding to the kinde of his na-
ture not corrupted, let him
képe a stedfastnesse, for that
becommeth most of all : ex-
cept perchance he shall per-
ceiue that hee hath gone a-
misle, in chosing his kinde
of life. Which if it befall
(as it may befall) there must
be made a change of man-
ners and purposes.

That change then if time
shall further, wee shall the
sooner and moze conuenient-
ly bring to passe: if not, faire
and softly, and by little and
little it must be done : like

tate possimus nobismet
ipsis, nec in vlllo officio
claudicare

Ad hanc autem ra-
tionē, quoniam maxi-
mam vim natura habet,
fortuna proximā, vtri-
usq; omnino ratio ha-
benda est in diligendo
genere vitæ, sed naturæ
magis. Multo enim &
firmior est & constan-
tior, vt fortuna nonnū-
quam tanquā ipsa mor-
talis cum immortalī na-
tura pugnare videatur.
Qui igitur ad naturæ
sux, non vitiosę genus,
consiliū viuendi omne
contulerit : is constan-
tiam teneat. Id enim
maximè decet, nisi for-
te se errasse intellexerit
in deligendo genere vi-
tæ. Quod si acciderit,
(potest autē accidere)
facienda morū, institu-
torumq; mutatio est.

Eam mutationem si
tempora adiuuabunt,
facilius, cōmodiusq; fa-
ciemus : sin minus, sen-
simerit, pedetentimque
H 4 facienda:

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facienda: vt amicitias, quæ minus delectent & minus probentur, magis decere censent sapientes, sensim dissuere, quàm repente precipere. Cōmutato autē genere vitæ, omni ratione curandum est, vt id bono consilio fecisse videmur.

Sed quoniam paulo antè dictum est imitandos esse maiores, primum illud exceptum sit, ne vitia sint imitanda: deinde si natura non ferret vt quædam imitari possint, vt superioris Africani filius, qui hunc Paulo natum adoptauit, propter infirmitatem valetudinis, non tam potuit patri similis esse, quam ille fuerat sui. Si igitur non poterit siue causas defendere, siue populum concionibus tenere, siue bella gerere: illa tamen præstare debet, quæ erunt in ipsius potestate, iustitiam, fidem, liberalitatem, modestiam, tem-

as friendships which doe not delight vs, and are not well liked, wise men doe iudge more couenient, stitch after stitch to rip, then sodainely to cut asunder. And when we haue once changed our kinde of life, we must by all meanes take hēde, that we be thought to haue done it vpon good aduiselement.

But forasmuch as a little before it is said, that we must follow our ancestours: first, be this excepted, that their vices are not to be followed: next, that we follow them not in some things that our nature will not beare, as the elder Africanus son, who adopted this our Paulus son, could not be so like his father, because of sickly weakness, as the other was like his. In case therefore one be not able either to plead causes, or to retaine the people with Orations, or to follow the wars: those things yet he ought to performe, which shall be in his power, as iustice, faithfulness, liberality, sober mood and temperance,
to

to the intent the thing which hee lackes, may bee the lesse missed in him. Cruely the best inheritance that fathers leaue to their childzen, and more worth then all liuelode is the glozy of vertue, & worthy deeds, wherevnto to be a staine, it is to be accounted both vice and shame.

And because not alike duties are assigned to vnlike ages, and some there bee for young men, and some for the elder sort, somewhat also wee haue to say of this diuersitie. It is therefore a young mans part to reuerence his elders, and of these to chosse out the best & most commended: whose counsell and authoritie hee may leane vnto. For the vnkylfulnesse of tender yeres, must by old mens experience bee ordered and gouerned. And this age specially from lusts is to bee wayned, and to be brought vp in labour, and paines taking both of minde and body, that both in martyall and ciuill duties, their diligence may appeare. Also when

temperantiam: quod minus ab eo id, quod deficit, requiratur. Optima autē hæreditas à patribus traditur liberis, omnique patrimonio præstantior gloria virtutis, rerūq; gestarū: cui decori esse, nefas & vitium iudicandum est.

Et quoniam officia non eadem disparibus ætatibus tribuuntur, alia quæ sunt iuuenum, alia seniorum, aliquid etiam de hac distinctione dicendum est. Est igitur adolescentis, maiores natu reuereri, ex ijsque eligere optimos & probatissimos: quorum consilio atque auctoritate nitatur. Inuentis enim ætatis inscitia, senum constituenda & regenda prudentia est. Maxime autem hæc ætas à libidinibus arcenda est, exercendaq; in labore, patientiaq; & animi & corporis, vt eorum & in bellicis, & ciuilibus officijs vigeat industria.

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industria. Atq; etiam cū relaxare animos & dare se iucunditati volent, caueant intemperantiam, meminerint verecūdiæ, q̃ erit facilius, si in eiusmodi quoq; rebus maiores natu interesse velint.

Senibus autem labores corporis minuendi, exercitationes animi etiam augendæ videntur. Danda vero opera, vt & amicos & iuuentutem, & maximè remp. consilio & prudentia quamplurimum adiuuent. Nihil autem magis cauendum est senectuti quam ne languori se, desidiiq̃ue dedat. Luxuria verò cū omni ætate turpis, tūm senectuti foedissima est. Sin autem libidinum etiam intemperantia accesserit, duplex malum est. quod & ipsa senectus dedecus concipit, & facit adolescentium impudentiorem intemperantiam. Ac ne illud quidem alienum est, de ma-

they will refresh their wits, and giue themselues to pastime, let them beware of intemperance, and remember shamefastnesse, which shall bee done the easier, if at such things also their elders will be in presence.

But for old men, labours of the body are to be diminished, & exercises of the mind seeme mete to be encreased: and they must giue their diligence, that much they aid their friends and youth, and specially the common weale with counsel and wisdom, But nothing more of age is to be taken heed of, then that it giue not it selfe to lithernesse and idlenesse. As for ryot to euery age it is reprochfull: and for old age most shamefull. But if the intemperance of lust bee ioyned with it, there is a double inconuenience, because both age it self taketh shame by it, and it causeth young mens intemperance to bee more shamelesse. And this truly is not out of þ matter to speak somewhat touching the

the duties of Magistrates, of private men, of Citizens, and of Strangers.

It is therefore the proper office of a Magistrate, to consider, he represents the person of the City: and that he ought to maintain the honour and reputation thereof, and to keep the orders of the same, & to set out lawes fit therfore, and to remember, they be committed to his charge.

A private man it behoues to live in an equality, & likeness of law with the Citizens: neither as an underling and abject, nor bearing himselfe to high: and also in the common weale to seek those things that be quiet & honest. For such a one we are wont both to call & count a good Citizen.

But it is the duty of a stranger and alien inhabitant, to meddle with nothing beside his own businesse: nor to enquire any thing touching another man: & no whit in a strange common weale to be curious.

gistratum, de priuatorum, de ciuium, de Peregrinorum officijs dicere.

Est igitur proprium munus Magistratus intelligere: se gerere personam Ciuitatis, debereque eius dignitatem & decus sustinere: seruare Leges, Iura describere, & ea fidei suae commissa meminisse.

Priuatum autem oportet æquo & paricum Ciuibus Iure viuere, neque summisum & abiectum, neque se efferentem, tum in Republica ea velle, quæ tranquilla & honesta sint. Talem enim & sentire bonum Ciuem & dicere solemus.

Peregrini autem & incolæ officium est, nihil præter suum negotium agere, nihil de alio inquirere, minimeque in aliena esse Republica curiosum.

Ita

De Officijs.

Ita ferè officia reperiuntur, cum quaeretur quid deceat & quid aptum sit personis, temporibus, & statibus. Nihil est autè quod tam deceat, quam in omni re gerenda, consilioq; capièdo seruare constantiã.

Sed quoniam decorum illud in omnibus factis & dictis, in corporis denique motu, & statu cernitur: idque positum est in tribus rebus, formositatè, ordine, ornatu ad actionem apto, difficilius ad eloquendum, sed satis erit intelligi. In his autem tribus continetur cura etiam illa, vt probemur ijs, quibuscum & apud quos viuamus. His quoque de rebus pauca dicantur.

Principio, corporis nostri magnam naturam ipsa videtur habuisse rationem, quæ formam nostram reliquamq; figuram, in qua esset species honesta, eam posuit in

Thus for the most part, duties shall be found out: when it shall be sought what becommeth, and what is agreeable for persons, times and ages. And there is nothing that becomes a man so much, and in euery doing & taking of aduise to keepe a stedfastnesse.

But because the same comelinesse appeareth in all deedes and wordes, and in the mouing and staying of the body, and the same consisteth in three things, well fauorinesse, order, and furniture meete for ones doings, (somewhat hard it is to expresse: but it shall suffice, so it bee conceiued) and in these three contained is that care also, that we be allowed of those, with whom & among whom we liue. Of these matters likewise a few wordes let vs say.

First, very nature seemeth to haue had a great respect of our body, which hath sette most in sight our Phisnomie, and the rest of our shape wherein there is an

an honest shew: but she hath couered and kept close the parts of the body giuen for natures necessitie: which else should haue an euill fauoured and foule sight.

Mens shamesfastnesse hath followed this so cunning a frame of nature. For what so nature hath hidden, the same all men who bee well in their wits: doe keep from the eye: and they doe their endeuor to serue very necessitie, as closely as they may: and of what parts of the body the vse is seruile, neyther those parts, nor their seruice by their names they do call: and so that which to doe it is no shame if it be secretly, to tell it is vncleanely. And therefore neither the open doing of those things is boyd of vnshamesfastnesse, nor the talke without filthinesse.

Neither truly are the Ciniks worthy to be heard, or any of the Stoicks which are almost Cinike, who doe reprove vs, and mocke at vs, because we call those

pröptu: quæ autē partes corporis ad naturę necessitatem datæ, aspectū essent deformem habituræ atque turpem, eas contextit atque abdedit: Hanc naturæ tam diligentem fabricam imitata est hominum verecundia. Quæ enim natura occultauit eadem omnes qui sana mente sunt, remouent ab oculis, ipsique necessitati dant operam, vt quā occultissimè pareant: quarumq; partium corporis vsus sunt necessarij, eas neque partes, neque earum vsus suis nominibus appellāt: quodq; facere turpè non est, modo occultè, id dicere obscenum est. Itaq; nec actio rerum illarū aperta petulantia vacat, nec oratio obscenitate.

Nec verò audiendi sunt Cynici, aut si qui fuerunt Stoici poene Cynici, qui reprehendunt & irrident quod ea quæ re turpia non sint,

De Officijs.

ſint, verbis flagitiola
dicamus : illa autem
quæ turpia ſunt, nomi-
nibus appellemus ſuis.
Latrocinari, fraudare,
adulterari re turpe eſt,
ſed dicitur non obſcœ-
nè: liberis dare operam
re honeſtum eſt, nomi-
ne obſcœnum. Pluraq;
in eam ſententiam ab
eiſdem contra vere-
cundiam diſputantur :
Nos autem naturam
ſequamur, & ab omni,
quod abhorret ab ipſa
oculorum auriumque
approbatione fugiam⁹.
Status, inceſſus, ſeſſio,
accubitus, vultus, oculi,
manuū motus teneant
illud decorum. Qui-
bus in rebus duo ſunt
maximè fugienda, ne
quid effæminatū aut
molle, & ne quid du-
rum aut ruſticum ſit.
Nec vero hiſtrioni-
bus, oratoribuſq; con-
cedendum eſt, vt hiſ
hæc apta ſint, nobis
diſſoluta.

things in wordes ſhamefull
to be ſpoken vpon, which
be indède not diſhoneſt :
and yet thoſe things that be
vnhoneſt, we terme by their
names. As to goe a thee-
uing, to beguile one, to com-
mit adultery is a thing in
dède diſhoneſt, but it is told
without diſhoneſty, likewise
to get childꝝen indèd is ho-
neſt, but to be vttered in
talke it were vncleanely.
And moſt things, for that
purpose be reaſoned by the
philophers againſt ſhame-
faſtneſſe. But let vs follow
nature and ſhun all things
that abhorre the very plea-
ſing of our eye, and eare. Let
our ſtanding, going, ſitting,
lying, chære, eyes, and mo-
uing of hands keepe the ſame
comelines. In which things
two faultes we muſt ſpecially
take hède of, that nothing
womaniſhly, or daintely, &
nothing blockiſhly, or car-
terly we doe. Neither muſt
we agré, that theſe things
ſhould be ſeemely in players,
and orators, and leſt lowely
in our ſelues.

The

The custome of the Stage-players, euen of an olde order, hath so great regard to shamesfastnesse, that no man commeth on the stage without breeches. For they are asfeard, least if it chaunce by any mishap, that some parts of the body bee discouered, they should be seene vncomely. And as the fashion is with vs, Childzen growing to mans state be not bathed with their parents, nor long in law, with their fathers in law. Therefore this kind of shamesfastnesse is meet to be obserued, namely when nature her selfe is guide and mistresse. But wheras there be two kindes of dutie: & in one of the ther is a louelines, in the other a maiestie: louelines we must think belongs to the woman, and Maiestie to the man. Therefore all manner trimming, that is vnfitting for man, must be kept from his outward forme, and the like fault to this must be taken heed of in ones gestures and mouings.

For both the stirring like

Scenicorum quidem mos tantam habet verecundiam, vt in scenam sine subligaculo prodeat nemo: verentur enim ne si quo casu euenerit, vt corporis partes quædam aperiantur, aspiciantur non decore. Nostro quidem more cum parentibus Puberes filij, cum soceris generi non lauantur. Retinenda est igitur huius generis verecundia, præsertim Natura ipsa Magistra & Duce.

Cum autem pulchritudinis duo genera sunt, quorum in altero Venustas sit, in altero Dignitas: venustatem muliebrem, ducere debemus, dignitatem virilem. Ergo & à forma remoueatür omnis viro non dignus ornatus: & huic simile vitium in gestu, motuque cauatur.

Nam & Palæstrici motus

De Officijs.

motus sæpe sunt odiosi-
ores & histrionum non
nulli gestus ineptijs non
vacant : & in vtroque
genere, quæ sunt rec-
ta & simplicia laudan-
tur. Formæ autem &
dignitatis coloris boni-
tate tuenda est, color
exercitationibus corpo-
ris. Adhibenda est præ-
terea mūditiā, non odi-
osa, neque exquisita ni-
mis, tantum quæ fugiat
agrestrem & inhumana-
nam negligentiam. Ead-
em ratio est habenda
vestitus : in quo sicut in
plerisque rebus medio-
critas optima est. Ca-
uendum est autem, ne
aut tarditatibus vtamur
in ingressu mollioribus,
vt similes pomparum
ferculis esse videamur :
aut in festinationibus
suscipiamus nimias ce-
leritates : quæ cum fi-
unt, anhelitus mouen-
tur, vultus mutantur, &
ra torquentur : ex qui-
bus magna significatio
fit non adesse constan-

wastlers is oftentimes mis-
liked : and also many ge-
stures like Players are not
without foolish toys, and in
both these kindes, those
things which be right and
natural be commended. But
the maiestie of the fauour is
preserued by goodnes of co-
lour, and colour by exercise
of body. There must a clean-
linesse be vsed besides : that
is not odious nor curious,
but onely escheweth carter-
ly and vnnaturall slovenry.
The like regard we must
haue of apparraile : where-
in a meane, as in most part
of things is best, we must
take heede also, we vse nei-
ther too nice a slownesse in
our pace, like Pageants
in Triumphes : neyther too
much hast in sprede making,
like wilde-braynes. For
when it happens, that men
doe so : there followes short
breathing, the countenance
is chaunged, and the face
disfigured, whereof comes
a great presumption that
they haue no staidnesse.

But

But we must much more study, that the affections of our minde I warne not from nature: which we shall attaine, if we wil beware, that we fall not into moodes and mazes: and if we will continue in hauing heedful minds to the keeping of comlinesse. But the motions of minds be of two sorts: some proceede of intelligence, some of appetite. Intelligence is chiefly occupied in searching out of trouth: appetite stirreth a man to be doing. Wee must provide therfore, that we vse intelligence about the best matters, & that we make our appetite obedient to reason.

And because the power of speech is great, and the same is in two sorts, the one of vehement speech, the other of common talke: let the vehement speech serue for pleadings in iudgements, Orations in assemblies, and debating in the Senate house, let talke be vsed in companies, in disputations, in meetings of familiars, and let it

tiam. Sed multò etiam magis elaborandum est, ne animi motus à natura recedant, quod assequemur, si cauebimus ne in perturbationes atq; exanimationes incidamus & si attentos animos ad decori conseruationem tenebim'. Motus autem animorum duplices sunt: alteri cogitationis, alteri appetitus. Cogitatio in vero exquirendo maxime versatur: appetitus impellit ad agendum. Curandum est igitur, vt cogitatione ad res quam optimas vtamur: appetitum rationi obedientem præbeamus.

Et quoniam magna vis orationis est, eaque duplex, altera contenti-
onis, altera sermonis: contentio disceptationibus tribuatur iudiciorum, concionum, senatus: sermo in circularibus, disputationibus, congressionibus familiarium versetur: persequatur

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quatur etiam conuiuia. Contentionis præcepta Rhetorū sunt multa, nulla sermonis: quamquam haud scio an possint hæc quoque esse. Sed discentium studijs, inueniuntur magistri. Huic autem qui student, sunt nulli: Rhetorum turba referta omnia, quamquam quæ verborum, sententiarūque præcepta sunt, eadem ad sermonem pertinebūt. Sed cum orationis indicem vocem habeamus: in voce autem duo sequamur, vt clara sit & suauis: vtrūque omnino à natura petendum est, verum alterum exercitatio augebit, alterum imitatio pressē loquentium & leuiter. Quid fuit aliud in Catulis, vt eos exquisito iudicio putares vti literarum? quanquā erant literati: sed & alij. Hi autem optimē vti lingua latina putabatur: sonus erat dulcis:

also be at feasting. Of vehement speech, the Rhetoricians haue rules, of talke, none at all: notwithstanding I wot not whether such also may be. &c. Howbeit, for their studies that will learne, there be teachers found, but none ther be that study this, with the rout of Rhetoricians all places be replenished. Neuerthelesse, the same precepts which be of words and sentences, shal appertaine to talke. But Athens wee haue our voyce to bitter speech, and in voyce seeke two things, that it be cleare and swete: they both are to be fetched from Nature euermoze: but exercise will increase the one, imitation of treatable & soft speakers will helpe the other. What was in the Catuli, that ye should suppose them to vse a perfect iudgement in pronouncing of letters. Howbeit they were learned, but so were other too: yet these were thought to vse the Latine tongue best: Their sounding was sweet, their

their Letters neyther too much mouthed, nor drowned, least eyther it should be vnheard or ouer harsh: their voyce was without straying, neyther faint nor shyll. The speeche of Lucius Crassus was more plentifull, and no lesse feate conceited, but for well speaking the Catulians were in as much estimation. But Cæsar who was vncle to Catulus being sawced with mirth & merry conceits, exceeded all: so that in the Lawyerly kinde of pleading, he with familiar speeche passed the vehemence of other. In all these therefore we must labour, if in all we search what becometh.

Let then this familiar talke (in which the Socratics most excell) be gentle, and nothing obstinate, let there be therein a pleasantness. No nor let a man keep out other as though he were entered into his owne possession, but as in other matters, so in common talke, he must think an enterchanged

literæ neque expressæ, neque oppressæ, ne aut obscurum esset, aut putidum, sine contentione vox, nec languens, nec canora. Vberior oratio Lucij Crassi, nec minus faceta, sed bene loquendi de Catulis opinio non minor. Sale verò conditus & facetijs Cæsar, Catuli patris frater vicit omnes: vt in ipso illo forensi genere dicendi, contentiones aliorum sermone vinceret. In omnibus igitur his elaborandum est, si in omnibus quid deceat exquirimus.

Sit igitur hic sermo, in quo Socratici maxime excellunt lenis, minimeque pertinax: insit in eo lepos, nec verò tanquam in possessionem suam venerit, excludat alios: sed cum reliquis in rebus, tum etiam in sermone communi, vicissitudinem non iniquam vtendam
I 2 putet.

De Officijs.

putet. Ac videat in primis, quibus de rebus loquatur: si serijs, seueritatem adhibeat, si iocosis, leporem. In primis prouidiat ne sermo vitii aliquod indicet inesse in moribus, quod maxime tum solet euenire, cum studiosè de absentibus detrahendi causa aut per ridiculum, aut seuerè, aut maledicè, contumelioseq; dicitur.

Habentur autem plerumque sermones, aut de domesticis negotijs, aut de Republica, aut de artium studijs & doctrina. Danda igitur opera est, vt etiam si aberrare ad alia cœperit, ad hæc reuocetur oratio. Sed vtcunque adierunt res (neque enim eisdem rebus, nec omni tempore, nec similiter delectamur) animaduertendum est etiam quatenus sermo delectationem habeat: & vt incipiendi ratio fuerit, ita sit definendi modus. Sed

course oftentimes meet to be bled. And let him see first of al, of what matters he speak: if they be earnest, let him be a sagenesse, if they be merry, a pleasantnesse. Specially let him foresce that his talke bewray not some vice in his manners, which then chiefly is wont to befall, when either in mockage, or earnest, men doe blesse themselves to speake raylingly and spitefully of the absent, to their slander.

But this common talk for the most part, is had either of household matters, or of the commonweale, or of learning and teaching arts. We must therfore giue good heed that when the communication begins to stray to other things to these it be returned, yea howsoever the matter falls out that is in hand, (for neither all with one matter, nor at euery season, nor a like we are delighted) we must marke also how far our talk hath in it a liking, & as there was a way to begin it, so let there be a measurable

ble meane to end it. But because it is very well taught, that in all our life we fly passions, that is to say, vnmeasurable modes of minde, not ruled by reason, like wise our talke must bee void of such modes, least either anger arise or some greedinesse, or slouthfulnesse, or cowardlinessse, or some such thing appeare. And most of all, we must haue regard that those with whom we keepe talke, we seeme both to reuerence and to loue.

Chiding also many times comes in place as necessary, in which one must vse peradventure both a greater straining of voyce, and a sharper grauitie of wordes. It must also bee prouided, that we seeme not to do those things as irefull, but as Phisittons doe come to searing & cutting: so let vs seldome and vnwillingly fall to such manner of rebuking, and not at all, vnlesse it bee of necessitie, when there will be found none other remedy. But yet let it be cleere without anger,

quoniam in omni vita rectissime præcipitur, vt perturbationes fugiamus, id est, motus animi nimios rationi non obtemperantes: sic eiusmodi moribus sermo debet vacare, ne aut ira existat, aut cupiditas aliqua, aut pigritia, aut ignauia, aut aliquid tale appareat. Maximeque curandum est, vt eos quibuscum sermonem conferimus, & veteri & diligere videamur.

Obiurgationes etiam nonnunquam incidunt necessaræ, in quibus vtendum est fortasse & vocis contentione maiore, & verborum grauitate acriore. Id agendum etiam est, vt ne ea facere videamur irati, sed vt ad vrendum & secandum medici veniunt, sic ad hoc genus castigandi ratio inuitque veniamus, nec vnquam nisi necessario, si nulla raperietur alia medicina. Sed tamen ira procul absit,

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cum qua nihil rectè fieri, nihil consideratè potest. Magna autem ex parte clementi castigatione licet uti, gravitate tamen adiuncta, ut & severitas adhibeatur, & contumelia repellatur. Atque etiam illud ipsum, quod acerbitatis habet obiurgatio, significandum est ipsius causa qui obiurgatur, susceptum esse. Rectum est autem etiam in illis contentionibus, quæ cum inimicissimis fiunt, etiam si nobis indigna audiamus, tamen gravitatem retinere, iracundiam repellere. Quæ enim cum aliqua perturbatione fiunt, ea nec constanter fieri possunt, nec ijs, qui absunt, approbari. Deforme etiã est, de seipso prædicare, falsa præsertim, & cū irisione audientium imitari militem gloriosum.

Et quoniam omnia persequimur, dicendum

wherewith nothing rightl̃, nothing discretely can be done. And for the most part we may use a gentle manner of rebuking, yet temperate with a gravity, so as both a sowerness be shewed, and all spite refrained. Yea and that same bitterness which chiding hath in it, must be declared to be used for his sake who is chidden. It is good also even in these brawls, which be made with our bitterest enemies although we take words becommet to be spoken to us, to keepe yet a gravity, and to suppress the angry mood. For those things that be wrought with any passion, neyther can be constantly done, nor allowed to those that are present. Eull favoured also it is to tell praises of a mans selfe, specially if they be untrue, and with the making of the hearers, to resemble the glorious souldier.

And because we goe through all matters, we must tell also what manner
of

of house, it liketh vs, an honourable man and a Prince should haue. Whose end is the occuppyng thereof, according to the which the plat of the building must be made, & neuertheles ther must respect be had to a statelinesse and handsonnesse in the same. We haue heard say, it was an honour to Cneus Octavius, who the first of the Familie was made Consull, because in the Pallace, he had builded a gorgeous house, and full of statelinesse, which when people resorting thither had sene, was thought to further the maiiter, a man newly come vp, to the attayning of the Consulship. Thus did Scaurus pull down and inlarge the roome of his houses. And so Octavius into his house first brought the Consulship: this other a noble and famous mans sonne, into his inlarged house not onely brought repulse, but also a staine and miserie. For a mans honour must be set out by his house, and not all his honoꝝ sought

est etiam qualem hominis honorari & principis domum placeat esse: cuius finis est usus, ad quem accommodanda est ædificandi descriptio & tamen adhibenda dignitatis, commoditatisque diligentia. Cneo Octauio, qui primus ex illa familia Consul factus est, honori fuisse accepimus, quod præclarem ædificasset in palatio & plenam dignitatis domum: quæ cum vulgò viseretur, suffragata domino nouo homini ad consulatum putabatur. Hanc Scaurus demolitus accessionem adiunxit ædibus. Itaque ille in suam domum consulatum primus attulit: hic, summi & clarissimi viri filius in domum multiplicatam non repulsam solum rettulit, sed ignominiam etiam & calamitatem. Ornanda enim est dignitas domo, non ex
I 4 domo

De Officijs.

domo dignitas tota
quærenda, nec domo
dominus, sed domino
domus honestanda est.
Et vt in cæteris habenda
ratio non sui solum
sed etiam aliorum : sic
in domo clari hominis,
in quâ & hospites mul-
ti recipiendi sunt, &
admittenda hominum
cuiusq; generis multi-
tudo, adhibenda est cu-
ra laxitatis. Aliter am-
pla domus dedecori
domino sæpe sit, si est
in ea solitudo, & maxi-
mè si aliquando alio
domino solita est fre-
quentari. Odiosum est
enim cum aprætereun-
tibus dicitur.

by his house: nor by the house
the maister, but by þ maister
the house must bee honested.
And as in all things else, re-
gard is to bee had not of a
mans selfe onely, but of o-
thers also: likewise in a no-
ble mans house, into the
which both many guests are
to be receiued, and a number
of men of euery sort is to bee
admitted, ther must be made
a prouision for rowmethines.
Otherwise the large house
præueth to the master often-
times a shame, if there bee in
it a solitarinesse, and speci-
ally if once with another
maister it was wont to bee
well filled. For an odious
thing it is, when of the by
goers it is said.

O domus antiqua:
Heu, quam dispari
dominare domino.

O auntient house, alas,
wee may see:
How vnlike a Lord hath
Lordship on thee.

Quod quidem his
temporibus in multis li-
cet dicere. Cauendum
est autem presertim si
ipse ædifices, ne extra

Which a man may true-
ly say now a dayes of many.
Ye must beware also, name-
ly if your selfe bee a builder,
that beyond measure in
sumptuous

sumptuousnesse and great
cost you doe not excede, in
the which kinde, euen of the
ensample much harme ari-
seth. For diligently most
men, specially in this point,
doe follow the doings of
princes, as of Lucius Lucul-
lus a singuler man, who en-
sueth the vertue? How ma-
ny yet haue followed the
great costlinesse of his ma-
nour places? In which
things there must doubtlesse
bee vsed a measure, that to
a meanekeeping must bee re-
duced, and the same meane
keeping must bee referred to
the common vse, and coun-
tenance of the life. But of
these hetherto.

Now in euery deede, wee
take in hand, three poynts
are to bee kept. First, that
appetite obey reason: for no-
thing is meter than that for
the maintayning of duties.
Next, that it bee considered
how great a thing it is which
we minde to bring to passe,
that neyther lesse, neyther
more care and paine bee ta-
ken then the case requireth.

modum sumptu &
magnificentia prodeas.
Quo in genere multum
mali etiam in exemplo
est. Stodiosè enim ple-
rique præsertim in hanc
partem, facta princi-
pium imitantur: Vt
Lucij Luculli summi
viri virtutem quis? at
quam multi villarum
magnificentiam imitati
sunt? Quarum quidem
certè est adhibendus
modus ad mediocrita-
temque reuocandus:
eademque mediocritas
ad communem vsum,
cultumque vitæ referen-
da est. Sed hæc hæc-
nus.

In omni autem actio-
ne suscipienda, tria sunt
tenenda. Primum vt
appetitus rationi pareat:
quo nihil est ad officia
conseruanda accommoda-
tius. Deinde vt ani-
maduertatur quanta illa
res sit, quam efficere ve-
limus, vt neue maior,
neue minor cura & o-
pera suscipiatur, quam
causa

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causa postulet. Tertium est, vt caueamus, vt ea quæ pertinent ad liberalem speciem & dignitatē, immoderata sint. Modus autem est optimus, deus ipsum tenere, de quo antè diximus, nec progredi longius. Horum autem trium præstantissimum est appetitū obtemperare rationi. Deinceps de ordine rerum, & temporum opportunitate dicendū est. Hac autē scientia continetur ea, quam græci *εὐταξία* nominant, non hanc quam interpretamur modestiam, quo in verbo modus inest: sed illa est *εὐταξία* in qua intelligitur ordinis conseruatio. Itaq; vt eandem nos modestiam appellemus, sic definitur à Stoicis, vt modestia sit scientia earum rerum, quæ aguntur aut dicuntur, loco suo collocandarū.

The third point is, that we haue an eye to vse a measure in those things which pertaine to an honest shew and seemly grace. The best measure is, to keepe the very seemlynesse whereof we spake before, and not to passe those boundes. But of these three, the chiefest is, that appetite obey reason.

Hereafter touching order of things, and opportunity of times, we haue to say. And this knowledgē containeth that which the Grækes do name *εὐταξία*, not this which we interpret Modestia, in the which word Modus is comprehended. But that is *εὐταξία* wherein is meant keeping of order. And therefore that we may call the same Modestia thus it is defined of the Stoicks, that Modestia, (that is to saye) discretion, is the knowledgē of setting those things which are done or sayed, in their proper places. And

So of order and places there seemes to be all one propriety. For thus also they define order to be a framing of things in apt and convenient places. And place they say, concerneth the doing, opportunitie the time. And time convenient for the going, in Græke *εὐκαιρία*, in Latine it is called *Occasio*. So falleth it, that this discretion which we interpret, even as I said, is the knowledge of opportunitie of fit season to doe a thing.

But the same definition may be of prudence, whereupon we treated in the beginning. But in this place we search after measure keeping and temperance, and other like vertues. Therefore what were the properties of prudence, in their place we have spoken. But what properly belongs to these vertues, whereof here we have begun to speake, which pertain to shamefastnesse, and to their liking, with whom we live we

Itaque videtur eadem vis ordinis & collocationis fore. Nam & ordinem sic definiunt, compositionem rerum aptis & accommodatis locis. Locum autem actionis, opportunitatem temporis esse dicunt. Tempus autem actionis opportunum Græce *εὐκαιρία*, Latine appellatur occasio. Sic fit ut modestia hæc quam interpretamur (ita ut dixi) scientia sit opportunitatis idoneorum ad agendum temporum. Sed potest eadem esse prudentiæ definitio, de qua principio diximus. Hoc autem loco de moderatione & temperantia, & harum similibus virtutibus quaerimus. Itaque quæ erant prudentiæ propria, suo loco dicta sunt. Quæ autem harum virtutum, de quibus iamdudum loquimur, pertinent ad verecundiam & ad eorum approbationem, quibuscum vivimus

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viuimus, nunc dicenda sunt. Talis est igitur ordo actionum adhibendus: vt quemadmodum in ratione constanti, sic in vita omnia sint apta & inter se conuenientia, Turpe est enim valdeque vitiosum, in re seuera, conuiuio dignum aut delicatum aliquem inferre sermonem. Bene Pericles, cum haberet collegam in prætura Sophoclem poetam, hique de communi officio conuenissent, & casu formosus puer præteririt, dixissetque Sophocles, O puerum pulchrum Pericle! Pericles ait, At enim prætorem Sophocle decet, non solum manus, sed etiam oculos abstinentes habere. Atqui hoc idem Sophocles, si in Athleticarum approbatione dixisset, iusta reprehensione caruisset. Tanta vis est & loci, & temporis, vt si quis cum cau-

must now declare.

Such an order therefore in our doings is to be vsed that as in an Oration well builded, so in a mans life all be accoꝝdant and agréable together. For a fowle hearing it is, and very faulty in a sage matter, to bring in any table talk, or wanton words. Pericles said well, when he had Sophocles iorned pretor with him, and they were communing about their office, and as by chance a well fauoured childe passed by, Sophocles said, O there is a sayre Boy, Pericles: he answered. It becomes a Pretor, Sophocles, to haue not onely forbearing hands, but eyes also. If Sophocles had said this same, where Wastlers be allowed, he had bene free from iust reproofe.

So great a force there is both of place and time. As for example, if a man that shall plead a cause, be musling to himselfe in his iourney, or in his walk,

or

or any other thing, hee min-
deth heedfully, hee is not
reproued, but if he doe the
like at a feast, he may bee
thought vnciuill, for ha-
uing no regard to the time.
Howbeit those things which
farre disagree from all hu-
manitie, as if any man
sing in the streete, or if any
other great disorde there
be: by and by they appeare
and they greatly neede not
our admonition, or rules:
but from these, which seeme
to be small faults, and of
many cannot be perceiued,
we must the more diligent-
ly refrayne. As in Instru-
ments founding by strings
or blast, though neuer so
little the iarre, yet that of
a cunning man is wont to
be found: so must we liue
in this life, that nothing
chaunce to iarre; yea, and
so much the more, as the
concord of daedes is grea-
ter and better then of tunes.
Wherefore as in instru-
ments, Musicians eares
doe feelee euen the least dis-

sam sit acturus in itine-
re, aut in ambulatione
secum ipse meditetur,
aut si quid aliud atten-
tius cogitet, non repre-
hendatur, at hoc idem
si in conuiuio faciat, in-
human^o videatur, insci-
entia temporis. Sed ea
quæ multum ab huma-
nitate discrepant, vt si
quis in foro cantet, aut
si qua est alia magna
peruersitas, facile appa-
rēt, nec magnopere ad-
monitione & præcepta
desiderant. Quæ autem
parua videntur esse de-
lictæ, neq; a multis in-
telligi possunt, ab his est
diligentius declinan-
dum, vt in fidibus aut
in tibijs, quamuis pau-
lum discrepent, ta-
men id à sciente ani-
maduerti solet: Sic vi-
uendū est in vita, nè
fortè quid discrepet, vel
multo etiam magis quo
maior & melior actionū
quàm sonorum concen-
tus est. Itaq; vt in fidib^o
musicorū aures, vel mi-
nima

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nima sentiunt: sic nos si acres, ac diligentes iudices esse volumus animaduersoresque vitiōrū, magna intelligimus sæpe ex paruis. Ex occulorum obtutu, ex superciliorum aut remissione, aut contractione, ex mœstitia, ex hilaritate, ex risu, ex locutione, ex reticentia, ex contentione vocis, ex summisione, ex ceteris similibus facile iudicabimus, quid eorū aptè fiat quid ab officio naturaq; discrepet. Quo in genere non est incommodū quale quodq; eorum sit ex alijs iudicare, vt si quid dedecet alios, vitemus & ipse. Fit enim nescio quo modo, vt magis in alijs cernamus quam in nobismetipsis si quid delinquitur. Itaque facillimè corriguntur in discendo, quorū vitia imitantur emendandi causa magistri. Nec verò alienum est, ad ea eligenda, quæ du-

corū, so if we will be sharpe, and quicke iudges and makers of faults, we shall vnderstand often times great things by small. We shall soone iudge by the setting of the eye, by smooth looking, or bending of the browes, by sadnesse, mirth, laughter, speaking, silence, straying, and falling of the voyce, and other such like, what is fittingly done, and what from duetie and nature swaueth. In which kinde of things, it is not vconuenient to iudge by other, of what sort each of them is, that if ought misbecommeth an other, we shunne it also in our selues. For it comes to passe, I wot not how, that we see more in other, than in our selues, if ought be done amisse. And therefore very soone those Schollers be corrected, whose faultes their masters doe counterfait, for to makethem amend. For truely out of the way it is, in chusing of things, which bying a doubtfulnesse

to

to take learned mens aduise, or skilfull by experience, and so to search what liketh them concerning euery kinde of duety. For the greater part is commonly wont thether to be carryed, whither of very nature they be led. In which we must see not onely what each man saith, but also what each man thinketh, and for what cause each man so thinketh. For as Painters and they which graue images, and the right Poets also, be willing to haue their works seene of all sorts of men, that in case ought be repproued of many, it may be corrected, and therein both with themselves and with other they examine, what is done amisse: So after the iudgement of other, many things of vs both must be done, and left vndone, and also chaunged and amended.

As for things which are done after custome, and ciuill ordinances, there is no precept to be giuen of them. For they be precepts of the

bitatione afferat, adhibere doctos homines, vel etiam vsu peritos, & quid his de vnoquoque genere officij placet, exquirere. Maior enim pars eo ferè deferri solet, quod à natura ipsa deducitur, in quibus videndum est non modò quid quisque loquatur, sed etiam quid quisque sentiat, atque etiam qua de causa quisque sentiat. Vt enim Pictores, & ij qui signa fabricant, & verò etiam Poetæ suum quisque opus à vulgo cõsiderari vult, vt si quid reprehensum sit à pluribus, id corrigatur, hiq; & secum & cum alijs, quid in eo peccatum sit, exquirunt, sic aliorum iudicio permulta nobis & facienda & non facienda, & mutanda & corrigenda sunt.

Quæ verò more aguntur, & institutis ciuilibus, de his nihil est præcipiendum. Illa enim ipsa præcepta sunt.

Nec

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nec quemquam hoc errore duci oportet : vt si quid Socrates aut Aristippus contra morem consuetudinemque ciuilem fecerint locutiue sint, idem sibi arbitretur licere. Magnis enim illi, & diuinis bonis hanc licentiam assequabantur. Cynicorum vero ratio tota est eiiciens : est enim inimica verecundia : sine qua nihil rectum esse potest, nihil honestum.

Eos autem, quorum vita perspecta in rebus honestis, atque magnis est, bene de Republica sentientes ac bene meritos ac merentes, aliquo honore, aut imperio affectos obseruare & colere debemus. Tribuere etiam multum Senectuti : cedere ijs, qui magistratum habebunt, habere dilectum Ciuis & Peregrini : in ipso quoque peregrino, priuatim

selues, nerther it behoueth any man to be led with this errour, if Socrates, or Aristippus haue done, or spoken any thing against ciuill order, and custome : that hee should thinke the same lawfull for him to doe.

They obtained such a large libertie of fault finding, by their great and heavenly gifts. But the whole fashion of the Cynikes is vtterly to be refused : for it is enimie to shamesfastnesse : without which : there can be nothing bright, nor nothing honest. But those we ought to reuerence, and giue attendance vpon them, whose life hath bene tryed in honest & worthy matters : who do meane well to the common weale, & haue well deserued or do deserue well thereof, and to any honour or rule be aduanced, also we must haue olde age in great estimation : and must giue place to those, that beare office, and make difference betwene a Citizen & a stranger : and in the very straunger also we ought to consider

consider whether hee came
of priuate businesse, or for
the common weales affaires.
In summe (that I treat not
of euery particular) we are
bound to loue, maintaine, &
preserue the common attone-
ment and fellowshippe of all
mankinde.

Now concerning occupa-
cions and gainfull sciences
which are to be counted ho-
nest, and which are of base
reputation, thus commonly
we haue learned. First, those
gainings be disallowed, that
run in hatred with all men,
as the gaine of toul-farmers
and vsurers. Out of estima-
tion also and base be y^e gains
that men in wages doe take,
whose labor is bought, & not
their cunning. For in them
the very hire is as it were y^e
obligation of their bondage.
They mozeouer are to be
counted of the baser sort, who
buy of Merchants, that out
of hand they retaile againe.
For nothing they profit vn-
lesse they lie apace, and truly
dishonester thing there is
none, then a vaine tongue.

nè an publicè vete-
rit. Ad summam (ne a-
gam de singulis) com-
munem totius generis
hominum consiliatio-
nem & consociationem
colere, tueri, seruare
debemus.

Iam de artificijs, &
quæstibus, qui libera-
les habendi, qui sordi-
di sint, hæc ferè acci-
pimus. Primum impro-
bantur ij quæstus, qui
in odio hominum in-
currunt; vt portitorum,
& foeneratorum. Illi-
berales autem, & sor-
didi quæstus mercena-
riorum omnium, quo-
rum operæ, non quo-
rum artes emuntur. Est
enim in illis ipsa merces
auctoramentum serui-
tutis.

Sordidi etiam pu-
tandi, qui mercantur
à Mercatoribus quod
statim vendant. Nihil
enim proficiunt, nisi
admodum mentiantur:
Nec verò quicquam
est turpius vanitate.
K Opificesq;

De Officijs.

Opificesque omnes, in sordida arte versantur. Nec enim quicquam ingenuum potest habere officina: minimeque artes hæ probandæ, quæ ministræ sunt voluptatum: Cætarij, Lanij, Coqui, Fartores, Piscatores, vt ait Terentius: adde his si placet, vnguentarios, saltatores, totūq; ludū salariū. Quibus autem artibus, aut prudentia maior inest: aut non mediocris vtilitas quæritur, vt medicina, vt architectura, vt doctrina rerum honestarum, hæ sunt ijs, quorum ordini conueniunt honeste. Mercatura autem si tenuis est, sordida putanda est: Sin magna & copiosa, multa vndique apportans, multaque sine vanitate impertiens non est admodum vituperanda. Atq; etiam si satiata quæstu, vel contenta potius, vt sæpe ex alto in portum,

And al kind of handy craftmen serue in meane occupations. Neither can the workshop truly haue in it any gentlemanly doing, & no deale to be praised are these occupations, which be seruers of pleasures, as Trinkozmen, Butchers, Cooks, pudding-makers, ffishermen, which Terence speaketh of, put to these if ye list, Perfumers, Dancers, & all Hazarders. But those Sciences, wherein is greater wisdom, and no meane profit sought, as physick, casting of buildings & learning of worthy knowledge, be honest for thē, with whose estate they agree. And marchandise, if it be smal, is to be counted of litle estimation, but if it be great and well stored, conueying many commodities round about, and dispersing those same into many mens hands, without bayne words, it is not much to be dispraised, and furthermore, if being satisfied with gaine, or contented rather, as it hath often come, from the Sea to the haven, so

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it chaunge from the haue
into lands and possessions,
it seemeth of very good right
it may bee commended. For
of all things, whereout a-
ny gaine is sought, no-
thing is better then ground,
tilth and trimming, nothing
yeeldinger, nothing swee-
ter, nothing meete for a free
borne man, whereof because
in Cato the elder we haue
spoken enough, thence shall
you take, what so to this
place shall appertaine.

But how duetyes do pro-
ceed from those parts, which
belong to honesty, I thinke
it sufficiently declared. Now
in those same things which
be honest, ther may befall oft
times a question and compa-
rison of two honest things,
whether is the honestest,
which point is passed ouer
of Panetius. For whereas all
honesty springeth out of four
branches, whereof one is of
knowledge, another of com-
mon fellowship, the third of
great courage, the fourth of
measure keeping: it must
needes be, that in chosing of

sic ex ipso portu se in a-
gros possessionesq; con-
tulit, videtur iure opti-
mo posse laudari. Omni-
um autem reru, ex qui-
bus aliquid acquiritur,
nihil est agricultura me-
lius, nil vberius, nil dul-
cius, nil homine libero
dignius. De qua quoniam
in Catone maiore satis
multa diximus, illinc as-
sumes, quæ ad hunc lo-
cum pertinebunt.

Sed ab ijs partibus,
quæ sunt honestatis,
quemadmodum officia
ducerentur, satis expo-
situm videtur. Eorum
autem ipsorum, quæ ho-
nesta sunt, potest inci-
dere sæpe contentio &
comparatio de duobus
honestis, vtrum hone-
stius, qui locus à Pan-
etio est prætermisus.
Nam cum omnis ho-
nestas manet à partibus
quatuor, quarum vna sit
cognitionis, altera com-
munitatis, tertia magna-
nimitatis, quarta mode-
rationis: hæc in deligendo
K 2 officio,

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officio, sæpe inter se
comparentur, necesse
est. Placet igitur aptiora
esse naturæ ea officia,
quæ ex communitate,
quam ea, quæ ex cogni-
tione ducantur. Id quæ
hoc argumento confir-
mari potest. Quod si
contingerit ea vita sapi-
enti, vt omnium rerum
affluentibus copijs di-
tetur: quamvis ea, quæ
cognitione digna sunt,
summo otio secum ipse
consideret & contem-
pletur: tamen si solitu-
do tanta sit vt homi-
nem videre non possit,
excedat e vita. Princeps
quæ omnium virtutum
est illa sapientia, quam
σοφία Græci vocant.
Prudentiam enim, quâ
Greci *φρόνησις* dicunt,
aliam quandam intelli-
gimus: quæ est rerum
expetendarum, fugien-
darumque scientia. Illa
autem sapientia, quam
principem dixi, rerum
est diuinarum, atque

duety, these be often compa-
red together. Wee thinke
therefore those dueties be
more agréable with nature,
which be borrowed from com-
mon fellowship, than those
which be fetched from know-
ledge, and that may be pro-
ued, by this argument: be-
cause if a wise man happen
on such a life, that he be en-
riched with a flowing plen-
tie of all manner substance,
though with very great lea-
sure he consider, and all to
behold with himselfe those
things which are worthy
of knowledge, yet if his soli-
tarnesse be so great, that he
cannot haue the sight of a
man, he would wish to be out
of the world. And that wise-
dome which the Grækes do
terme *σοφία* is the Prin-
cesse of all bettues. For pru-
dence which the Grækes do
call *φρόνησις*, we take to be
of another nature, which is
the knowledge of things to
be desired & things meet to be
eschewed. But that wisdom
which I named the princesse,

is the science of heauenly and worldly things, where in is contained the commonnesse of Gods and men, and their societie together. Which vertue in case it be the greatest, as it is in deēd, it must needs follow, the dutie which is borrowed of commonnesse also is the greatest. For the knowledge & consideration of naturall causes, should after a certain sort be maimed and vnperfect, if no performance of deēdes should follow. And deēdes must appeare in defending of mens commodities. They belong therefore to the fellowship of men, and for that cause are to be preferred before knowledge. And this euery best disposed man, when it comes to the point doth shew and declare. For who is so desirous full of thoroughseeing, and learning of nature of things, but in case while he were treating & biewing of matters most worthy of knowledge, in the meane season he should sodainly heare tidings

humanarum scientia : in qua continetur deorum & hominum communitas & societas ipsorum inter ipsos. Ea si maxima est, (vt est certè) necesse est, quod à communitate ducatur officiū id esse maximum. Etenim cognitio, contemplatioque naturæ, manca quodammodo, atque inchoata sit, si nulla actio rerum consequatur. Ea vero actio in hominum communis tuendis maximè cernitur. Pertinet igitur ad societatem generis humani. Ergo hæc cognitioni anteponenda est.

Atque id optimus quisque re ipsa ostendit & indicat. Quis est enim tam cupidus in perspicienda, cognoscendaque rerum natura, vt si ei tractanti, contemplanti que res cognitione dignissimas, subitò sit allatum periculum discrimenque

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patriæ, cui subuenire, opitularique possit, non illa omnia relinquat atque abijciat, etiam si denumerare se stellas, aut metiri mundi magnitudinem posse arbitretur. Atque hoc idem in parentis, in amici re, aut periculo fecerit. Quibus rebus intelligitur, studijs, officiisque scientiæ præponenda esse officia iustitiæ, quæ pertinent ad hominum utilitatem: quia nihil homini esse debet antiquius. Atque illi quorum studia vitæque omnis in rerum cognitione versata est, tamen ab augendis hominum utilitatibus & commodis non recesserunt. Nam erudierunt multos, quo meliores ciues, utilioresque in rebus suis publicis essent: ut Thebanum Epaminondam Lyfip Pythagoræus. Syracusum Dionem Plato, multiq; multos. Nosq;

of the hazard and danger of his country, which he is able to succour and withstand, he would leaue and set aside all those studies, yea though he thought he were able to number the stars or to measure the huge compasse of the world, and the same man also would do as much in his parents & in his friends cause & perill. By which things it is gathered that before the studies and duties of knowledge, the studies of Justice are to be preferred, which doe belong to the profit of men, then the which a man ought to holde nothing direct. Also they who haue spent their whole life & study in knowledge of things, haue not yet withdrawn themselves from helping to increase mens profits and commodities. For they also haue instructed many, to make them the better Citizens, and the more profitable in their common weales, as Lyfip the Pythagorian, schooled the Theban Epaminondas. Plato taught Dion the Syracusan, and many a one more

moe, and whatsoeuer we our selues brought to the common weale, (if any thing we haue brought) we came to it enformed by teachers, and furnished with learning.

And they not onely while they liue and be present, doe schoule & teach the students of learning, but after their death also by their monuments of learning, they doe the same. For they haue not ouerpasseed one point that concerneth lawes, custome, and the Common wealthes knowledge, so as they may seeme to haue employed their quiet studies to our common affayres. Thus they being themselves giuen to the studies of learning and wisdom, doe chiefly bestow their wisdom, prudence, and vnderstanding to mens commodities. For the same cause also it is better to vtter plentifully, so it be discretely, then without eloquence to conceiue neuer so wittely, because ones conceit serueth onely within it selfe. Whereas eloquence gettes

ipsi quicquid ad Rempublicam attulimus (si modo aliquid attulimus) à doctoribus atque doctrina instructi ad eam & ornati accessimus. Neque solum viui atque praesentes studiosos discendi erudiunt, atque docent: sed hoc idem etiam post mortem monumentis litterarum, assequuntur. Nec enim locus ullus praetermissus est ab ijs, qui ad Leges, qui ad mores, qui ad disciplinam Reipublicae pertineret: ita vt otium suum ad nostrum negotium contulisse videantur. Ita illi ipsi doctrinae studijs & sapientiae dediti ad hominum utilitatem suam sapientiam, prudentiam, intelligentiamque potissimum conferunt. Ob eam etiam causam eloqui copiose modoprudenter) melius est, quam vel acutissime sine eloquio etiam cogitare: quod cogitatio in se ipsa vertitur

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eloquentia. verò complectitur eos, quibuscū communitate iuncti sumus. Atq; vt apium examina non fingendorū fauorum causa congregantur: sed cum congregabilia natura sint fingunt fauos: sic homines ac multo etiam magis, natura congregati, adhibent agendi, cogitandique solertiam. Itaque nisi ea virtus, quæ constat ex hominibus tuendis, id est, ex societate generis humani, attingat rerum cognitionem, soliuaga cognitio, & ieiuna videatur. Itemque magnitudo animi remota à commitate, conjunctioneque humana, feritas sit quædam & immanitas. Ita fit, vt vincat cognitionis studiū consociatio hominum, atq; communitas.

Nec verum est, quod dicitur à quibusdam, propter necessitatē vitæ, quod ea quæ natura

within her reach those, with whom we are ioynd in common fellowshippe. And as swarmes of Bees doe cluster together, not to this end, to make combs, but being swarming by kinde, they worke their combs, so men much more then they, by nature swarming, do vse their cunning of doing and deuising. Therefore vntlesse the same vertue which consisteth in defending men, that is to say, the fellowship of mankind doth meete with the knowledge of things: it may seeme a very bare and alone wandring knowledge, & likewise greatnes of courage seuered from common fellowship & neighbourhode of men must needs be a certaine sauagenesse and beastly crueltie. So it falles out, that the accompanying and common fellowshippe of men far surmounts the study of knowledge.

Neither is it true, which is saide of some, that this common knot and fellowship is had among men, euen
for

for necessitie of life, because without other, we might not get and bring to passe those things y nature doth desire: and that if all things were found vs, euen by the grace of G D D, (as they say) which appertaine to food and furniture of life, then would euery one of a good wit, all busines laid aside, settle him selfe wholly in knowledge & science. But that is not so. For he would both flye solitarinesse, and chose a companion of study, both teach and learne, both heare and speake.

Wherefore all duety which auaieth to maintaine neighbourhood, and fellowship of men, is to be preferred aboue the duty which consisteth in knowledge & science. This question peradventure may be well moued, whether this common fellowship, which is most of all agreeable to nature, be also alwayes to be preferred before meane and measure keeping. I thinke not so.

desideraret, & consequi sine alijs, atque efficere non possemus, idcirco istam esse cū hominib⁹ communitatē et societatē. Quod si omnia nobis quæ ad victū, cultumq; pertinent, quasi virgula diuina (vt aiunt) supeditarentur: tūc optimo quisque ingenio, negotijs omnib⁹ omis- sis, totum se in cognitione & scientia collocaret. Non est ita, nam & solitudinem fugeret, & socium studij quæreret: tūc docere, tūc discere vellet, tūc audire, tūc dicere. Ergo omne officium, quod ad coniunctionem hominum, & ad societatem tuendam valet, antepōndum est illi officio, quod cognitione & scientia continetur. Illud forsitan quærendū sit, num hæc communitas, quæ maximè est apta naturæ, sit etiā moderationi, modestiæq; semper antepōnenda. Non placer.

Snut

De Officijs.

Sunt enim quædam partem ita sceda, partim ita flagitiosa, vt ea ne conseruandæ quidē patriæ causa sapiens facturus sit. Ea Possidonius collegit permulta, sed ita tetra quædam, ita obsæna vt dictu quoque videantur turpia. Hæc igitur non suscipiet quisquam Reipub. causa nec Respub. quidem pro se suscipi volet. Sed hæc commodius se res habet quòd non potest accidere tempus, vt intersit Reipub. quicquam illorum facere sapientem. Quare hoc quidem effectum sit in officijs deligendis: hoc genus officiorum excellere, quod teneatur hominum societate. Etenim cognitionem prudentiamq; sequitur cōsiderata actio. Ita fit, vt consideratè agere pluris sit, quam cogitare prudenter. Atque hæc quidem hactenus. Patefactus est enim locus ipse, vt non

For there be some things, partly so filthy, partly so haious, that a wise man would not doe them, no not to saue his country. Mery many such Posidonius hath gathered together, but some of them so foule & so filthy, that euen to be spoken they seeme shamefull. Those therefore ought no man to take in hand, for the common weales cause, neither would the commonweale for her sake haue them enterprised. But this matter stands in better case, for that there can befall no time that the cōmon w. ale should need to haue a wise man doe any of them. Wherefore let this be concluded in choyse of duties, that such kinde of duties most excell, as concerne the fellowship of men. For aduised doing will follow knowledge & wisdom. So it comes to passe, that to do aduisedly is more worth, then wisely to deuise. And thereof thus farre. For this place is plainely inough set out, that it is not hard in searching out of dutie, to perceiue

percelue, among them all
which afore other is to bee
preferred.

Pea euen in common fel-
lowship there bee degrées of
duties, whereby may bee
knowne what one is aboue
the other, so as the first du-
ties be due to the Gods im-
mortall, the second to our
country, the third to our pa-
rents, and so forth by degrées
the rest to the rest. Of the
which matters briefly deba-
ted, may bee gathered how
men are wont, not ouely to
doubt whether a thing bee
honest or dishonest: but also
two honest things laid be-
fore them whether is the ho-
nester. Thus point (as I
said before) is ouerslipped

by Panetius. But now
to the residue let
vs procede.

fit difficile in exquiren-
do officio, quid cuiq;
sit præponendū videre.

In ipsa autem com-
munitate sunt gradus
officiorum, ex quibus
quod cuique præstet, in-
telligi possit: vt pri-
ma Dijs immortalibus,
secunda patriæ, tertia
parentibus: deinceps,
gradatim reliqua reli-
quis debeantur. Qui-
bus ex rebus breuiter
disputatis, intelligi po-
test, non solum id ho-
mines solere dubitare,
honestum ne an turpe
sit, sed etiam duobus
propositis honestis, v-
trum honestius. Hic
locus à Panetio est (vt
supra dixi) prætermis-
sus. Sed iam ad re-
liqua pergamus.

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MARCVS TVL- M. TVLLII
LIVS CICEROES CICERONIS

second booke of du-
ties, to Marcus
his sonne.

de Officijs, ad M.
filium Liber
secundus.

After what sort duties
should be taken out of
honesty, son Marke, and
from euery kind of vertue: I
suppose it sufficiently decla-
red, in my former Booke. It
follows, that we go forward
with these kindes of duties
which belong to power, to
riches, to the furniture of
mans life, and to the plenty
of those things that men doe
occupie. Wherein I sayd,
it is sought, both what is
profitable, what vnprofitable:
and also of profitable
things, which is the more
profitable, or which the most
vnprofitable. Of the which
I will enter to speake, if I
shall say a word or two be-
fore of my purpose and mea-
ning.

For though our Booke
haue stirred by many men to

Quemadmodum of-
ficia ducerentur
ab honestate
Marce fili, atq; ab om-
ni genere virtutis, satis
explicatum arbitror, li-
bro superiore. Sequitur
ut hec officiorum gene-
ra persequamur, quæ
pertinent ad vitæ cul-
tum, & ad earum re-
rum, quibus vtuntur ho-
mines, facultatem, ad o-
pes, ad copias. In quo
tum quæri, dixi quid v-
tile, quid inutile: tum ex
utilibus, quid utilius,
aut qd' maximè inutile.
De quibus dicere ag-
grediar, si pauca prius
de instituto, ac de iudi-
cio meo dixerò.

Quamquam enim
libri nostri complures
non modò ad legendi,
sed

De Officijs.

sed etiam ad scribendi
studium excitauerint:
tamen interdum vereor
ne quibusdam bonis vi-
ris Philosophiæ nomen
sit inuisum: mirenturq;
in ea tantum me operæ
& temporis ponere. Ego
autem quamdiu resp. per
eos gerebatur, quibus se
ipsa commiserat, omnes
meas curas cogitatio-
nesque in eam confere-
bam. Cum autem do-
minatu vnus omnia te-
nerentur, neq; esset vn-
quam consilio aut au-
thoritati locus: socios
deniq; tuende reip. sum-
mos viros amisisse: nec
me angoribus dedi, qui-
bus essem confectus nisi
his restitissim: nec rur-
sum indignis homine
docto voluptatibus. At-
que vtinam Respub. ste-
tisset quo cœperat statu,
nec in homines non tam
commutandarum rerû
quàm euertendarum
cupidos incidisset.

Primû enim vt stante
Rep. facere solebamus.

the study not onely of a rea-
ding, but also of wꝛiting: yet
otherwise I feare, least the
name of Philosophie be hate-
full to some good men: & that
they meruaile, I bestow in
it so much trauaile and time.
Indeéd as long as the com-
mon weale was gouerned by
them, to whom shē had com-
mitted her selfe, I did em-
ploy all my care & study by-
pon it. But when one man
kept all in thꝛaldome, & ther
was no place at all for coun-
sell and authozity: and I be-
sides had for gone my compa-
nions: of pꝛeseruing þ state,
who had been singular men,
neyther I gaue my selfe to
græues, wherewith I should
haue been wasted, vnlesse I
had resisted them, noꝛ again,
to pleasures vnseemely for a
learned man. And wold god
þ the common weal had stand
in the state where it began: &
had not light bypon men, who
were not so desirous of al-
tering, as ouerthrowing of
things. For first, as we were
wont to doe, when the com-
mon weale was standing:
we

we would take more labour in pleading, than in writing: after ward, in very writing we wold not put the things that we doe now, but our pleadings as we haue done diuers times. But when the common weale, in which all my care, study and trauaile was wont to be bestowed, was none at all, verely those lawyerly and Senate house learning were husht. But seeing my minde could not chuse but be doing: hauing bene occupied in those studies, from the beginning of my pong age: I thought sorrowes might be put away most honestly, if I returned my selfe to Philosophie.

Wherunto whē being pong I had giuen much time, to learne it, after that I began to attend honours, and betooke my selfe whole to the common weale, so much leasures was left for Philosophie, as remained of the times spent about my friends and the Common Weales causes. And that was all bestowed in readinge,

in agendo plus quam in scribendo opere ponere. Deinde ipsis scriptis, non ea que nunc, sed actiones nostras mandaremus, vt sæpe fecimus. Cum autem Respub. in qua omnis mea cura, cogitatio, opera poni solebat, nulla esset omnino: illæ scilicet literæ omnino conticuērunt forenses, & Senatoriæ. Nihil autem agere cum animus non posset, in ijs studijs ab initio versatus ætatis: existimauit honestissimè molestias deponi posse, si me ad Philosophiam retulissim.

Cui cum multum adolescentis discendi causa temporis tribuissim, posteaquam Honoribus inseruire cœpi, meque totum Reipublicæ tradidi, tantum erat Philosophiæ loci, quantum superfuerat amicorum & Reipublicæ temporis. Id autem omne consumebatur in legendo: scribendi

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scribendi otium non erat. Maximis igitur in malis hoc tantum boni affectui videmur : vt ea literis mandaremus, quę nec satis erant non nostris, & erant cognitione dignissima.

Quid est enim, per deos, obtabilius sapientia? quid præstantius? quid homini melius? quid homine dignius? Hanc igitur qui expectunt, Philosophi nominantur : nec quicquam aliud est Philosophia (si interpretari velis) quàm studiũ sapientiæ. Sapientia autem est (vt à veteribus philosophis definitum est) rerum diuinarum & humanarum, causarumque, quibus hæres continentur, scientia : cuius studium qui vituperat, haud sanè intelligo, quidnam sit, quod laudandum putet. Nam siue oblectatio queritur animi, requiesq; curarum, quæ confertur cum eorum

for writing I had no time. In our most miseries therefore we sceme to haue gotten this so great a commoditie, that we might put those matters in writing, which were not sufficiently known to our men, and yet were most worthy of knowledge. For what is there in faith more wishfull, than wisdom? what more excellent? what to a man more worthe? what for a man more honorable? They than who doe desire this be named philosophers: neither is Philosophy ought else, if yee will tell the meaning of the word, but the study of wisdom. And wisdom (as it is defined of auncient Philosophers) is the science of heauenly & worldly things and of the causes whereby these things be vpholden. And who so dispraiseth the study thereof : I wot not verely what there may bee that hee would deeme praise worthy, for whether the delighting of y mind be sought and quieting of care, what may be compared with their studies,

Iudges, who alwaies gather
 somewhat that tendeth and
 auaieth well and wealfully
 to liue, or if the way of sted-
 fastnesse & vertue bee sought
 whether this is the art, or there
 is none at all, whereby wee
 may attainethem. To vphold
 there is no art of the greatest
 things, seeing none of the
 least be without art, it is a
 token of men speaking with
 small aduilement and erring
 in the greatest matters. But
 if there be any science of ver-
 tue, where shall it be sought,
 when you be gone from this
 kinde of learning. But these
 things haue wont to be more
 exactly discoursed, when we
 exhort men to Philosophy,
 which indeed wee haue done,
 in another Booke.

But at this present ones-
 ly it was to bee declared of
 vs, why wee got vs chiefe-
 ly to this study when wee
 were bereft of our Common
 Wealthes Offices. But it
 is gainesaid vs, and that of
 skilfull and learned men, de-
 maunding whether we seeme
 to doe constauntly enough

studijs potest, qui semper
 aliquid inquirunt, qd' spe-
 ctet, & valeat ad bene
 beateq; viuendum? Siue
 ratio constantie, virtutis-
 q; queritur, aut hæc ars
 est aut nulla omnino, per
 quam eas assequamur.
 Nullam verò dicere max-
 imarum rerum artem es-
 se, cum minimarum sine
 arte nulla sit, hominum
 est parum consideratè
 loquentium, atq; in max-
 imis rebus errantium. Si
 autem est aliqua discipli-
 na virtutis: vbi ea quære-
 tur, cum ab hoc discen-
 di genere discesseris? Sed hæc, cum ad Phi-
 losophiam cohortamur,
 accuratius solent dispu-
 tari, quod alio quodam
 libro fecimus.

Hoc autem tempore
 tantum nobis declaran-
 dum fuit, cur orbatî Rei-
 pub. muneribus ad hoc
 nos studium potissimum
 contulissimus. Occurrit
 autem nobis & quidè
 à doctis & eruditis, quæ-
 rentibus satis ne con-
 L stanter

De Officijs.

stanter facere videamur : qui cū percipi nihil posse dicamus, tamen & alijs de rebus, differere soleamus, & hoc ipso tempore præcepta officij persequamur. Quibus vellem satis cognita esset nostra sententia. Non enim sumus ij quorum vagetur animus errore, nec habeat vnquam quid sequatur. Quæ enim esset ista mens, vel quæ vita potius, non solum disputandi, sed etiam viuendi ratione sublata? Nos autem vt cæteri, qui alia certa, alia incerta esse dicunt, sic ab his dissentientes, alia probabilia, contra alia, non probilia esse dicimus.

Quid est ergo, quod me impediat, ea quæ mihi probabilia videantur sequi? quæ contrà, improbare atque affirmandi arrogantiam vitantem fugere temeritatem, quæ à sapientia dissidet plurimum. Contrà autem omnia disputatur à nostris,

who although we hold, that nothing can be surely known, yet both we are wont to dispute of other matters, and at this same time we prosecute precepts of Duety. To whom I would our opinions were well known. For we are not they, whose minde wandzeth in errour, and hath not at all what to follow. For what a minde should this be, or rather a life? Where the meane not onely of disputing, but also of liuing, is taken cleane away. But as other, who do say, some things be certaine, some vncertaine: so we dissenting from them, doe say againe some things be prouable, some vnprouable.

What is there then, that should let me to follow those things which to mee doe seeme prouable? which contrariwise, to disproue, and to voyde the presumption of affirming: and to flye rashnesse, which disagreeth from wisdom most of all.

But by our men there is disputing against all things:

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because this same thing that is profitable, cannot shine forth, except there should be a conference of reasons expressed vpon both sides. But these matters as I suppose be diligently inough treated plaine in our *Academikes*. But although my *Cicero*, you be exercised in the most auncient and most noble philosophy. *Cratippus* being your author, a man full like vnto those, who haue made these notable things, yet I would not these of ours, very neere vnto yours, to you should be vnknown. But now let vs goe on to our purpose.

Seeing then fūe wayes be set out of treating vpon *virtue*, whereof two doe pertaine vnto comelinesse and honesty, other two belong to the commodities of a mans life, to abundance, power, riches: the first doth serue to the iudgement of choosing, if euer those which I spake of should seeme to strīue together: the part touching honesty is made an ende of, which truely I desire to be

quòd hoc ipsum probabile elucere non posset, nisi ex vtraque parte causarum esset facta contentio. Sed hæc explanata sunt in *Academicis* nostris satis (vt arbitror) diligenter. Tibi autem, mi *CICERO*, quamquam in antiquissima, nobilissimaque *Philosophia*. *Cratippo* autore versaris, his simillimo, qui ista præclara pepererunt: tamen hæc nostra finitima vestris, ignota esse nolui. Sed iam ad instituta pergamus.

Quinque igitur rationibus propositis officij persequendi, quarum duæ ad decus, honestatemque pertinent, duæ ad commoda vitæ, copias, opes, facultates: quinta, ad eligendi iudicium, si quando ea, quæ dixi, pugnare inter se viderentur: honestatis pars perfecta est: quam quidem tibi cupio

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esse notissimam. Hoc autem de quo nunc agimus, id ipsum est, quod utile appellatur. In quo verbo lapsa consuetudo deflexit de via, sensimque eò deducta est, ut ab honesto utile secerneret: & constitueret honestum esse aliquid, quod utile non esset, & utile quod non honestum: qua nulla perniciēs maior hominum vitæ potuit afferri. Summa quidam autoritate Philosophi, seuerè sanè, atque honestè, hæc tria genera confusa cogitatione distinguunt. Quicquid enim iustum sit, id utile etiam esse censent, itemque, quod honestum, idem esse iustum. Ex quo efficitur, ut quicquid honestum sit, idem sit utile. Quod qui parum perspiciunt, hi sæpe versutos homines & calidos admirantes eorum militiam sapientiam iudicant. Quorum error eripiendus est: omnisq;

very welknown to you. But this whereof we treat now, is the vere same that is called profitable. In the which tearme, custome failing, hath swarued out of the way, & by little and little is brought to this point, that it wold seuer profitable from honest, and would make some thing honest which should not be profitable, & some thing profitable, which should not bee honest: then the which no greater danger could bee brought to mans life. Philosophers surely of very great authority do grauely no doubt, and honestly, in imagination sunder these thræ confused kindes. For whatsoeuer is iust, they also iudge the same to be profitable, & likewise what so is honest they take the same to be iust, whereof is concluded that whatsoeuer is honest, the same is profitable. The which thing, who smally foresee, they oftentimes hauing in admiration suttle witted and crafty, doe repute their wiliness for wisdom. Whose error must be taken away, & their whole

whole opinion is from that to be brought vnto this heap: that by honest counsel, & good deeds, not by guile & craftines, they vnderstand themselves in possibility to attaine such things as they would.

Some things then which appertaine to the maintenance of mans life, be liuelles, as golde and siluer, as these which are gotten out of the earth, as other of the same sort: some be liuing, and feeling which haue their motions, and appetites to things. And some of them be voide of reason, some haue the vse of reason. Moyde of reason be horses, oxen, and other cattle, and Bees, by whose worke somewhat is made for mans vse and life. But of those that haue vse of reason, two kindes there be put: one of Gods, another of men. Deuotion and holinesse will make the gods fauourable. But next of all, and after the Gods, men to men may be most profitable.

opinio ad eam speciem traducenda; vt honestis consilijs iustisque factis, non fraude & malitiose, intelligant, ea quæ velint consequi posse.

Quæ ergo ad vitam hominum tuendâ pertinent, partim sunt inanimata, vt aurum, argentum, vt ea quæ gignuntur è terra, & alia eiusdem generis: partim animata, quæ habent suos impetus, & rerum appetitus. Eorû autem alia, rationis expertia sunt, alia ratione vtentia. Expertes rationis sunt equi, boues, & reliquæ pecudes, & apes, quarum opera efficitur aliquid ad hominum vsum, atque vitam. Ratione autem vtentium duo genera ponuntur, vnum Deorum, alterum hominum. Deos placatos, pietas efficiet & sanctitas. Proximè autem & secundum deos, homines hominibus maximè vtilis esse possunt.

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Eorumq;

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Earumque item rerum quæ noceant & obfint, eadem diuifio eft. Sed quia deos nocere non putant, his exceptis homines hominibus plurimum obefse vel prodesse arbitrantur: Ea enim ipsa quæ inanimata diximus, pleraq; sunt hominum effecta operis, quæ nec haberemus, nisi manus & ars accessisset, nec his sine hominum administratione vteremur. Neque enim valetudinis curatio, neque nauigatio, neque agricultura, neque frugum, fructuumque reliquorum perceptio & conseruatio sine opera hominum vlla efse petuiffet. Iam verò & earum rerum quibus abundaremus, exportatio & earum, quibus egeremus inuectio certè nulla efset, nisi his muneribus homines fungerentur. Eademque ratione, nec lapides exciderentur è terra, ad vsum nostrum necessarii:

And againe there is the same diuifion of those things which annoy and hurt. And because men doe not thinke the Gods doe harme, these excepted, they suppose men to men to doe most hurt, or profit. For the most part of those same, which we called liuelesse bee the effects of mans worke, neyther we should haue them except hand and craft had bene put there to: neither without mens seruice, we should vse them. For neyther preservation of health, nor sailing, nor ground tilth and trimming, nor the inning and sauing of cozne and other fruites, without labour of men, could haue bene any at all. Now moreouer, both carriage out of those things wherewith we were stozed, and conueyance in of those which we should neede, there could be doubtles none, except men should doe those offices. And in like manner, neither stones shuld bee hewed out of Quarries, necessary to our vse:

neither

neither Iron, Gold, Brasse, Silver deepe hidden, could be digged vp without the labour and hand of man. Houses also whereby both the sharpnes of cold might be defended, and the annoyances of heate might bee asswaged, from whence either at the beginning, might they haue been giuen to mankind, or after do cease, if either by violence of tempest, or by earthquakes or oldnesse they had gone to wrack, except common life had learned of men to aske the aid for these things.

Adde hereunto conduits of water, turning of riuers, letting in water ouer grounds, Wharffes made agaynst streames. Hauens cast by hand: which without mens worke wee might not haue. By all which, and many other things, it is euident, that by no meanes, without mans hand and trauaile, wee could haue receiued the fruits and profits which bee gotten of those things that bee liuelesse.

What fruits also of beasts,

nec ferrum, æs, aurum, argentum effoderetur penitus abditum, sine hominum labore & manu. Tecta verò quibus, & frigorum vis pelleretur, & calorum molestiæ sedarentur, vnde aut initio generi humano dari potuissent, aut postea subuenire, si aut vi tempestatis, aut terræ motu, aut vetustate cecidissent nisi communis vita ab hominibus harum rerum auxilia petere didicisset?

Adde ductus aquarum deriuationes fluminum, agrorum irrigationes, moles appositæ fluctibus, portus manu factos, quæ non sine hominum opere habere possemus. Ex quibus omnibus multis, quæ alijs perspicuum est, qui fructus quæque utilitates ex rebus ijs, quæ sunt inanimatæ percipiuntur eas nos nullo modo sine hominum manu atque opera capere potuissæ.

Qui denique ex
L 4 bestijs

De Officijs.

bestijs fructus, aut quæ commoditas, nisi homines adiuuarent, percipi posset? Nam & qui principes inueniendi fuerunt quem ex quaque bellua vsum habere possemus, homines certè fuerunt. Nec hoc tempore sine hominum opera, aut pascere eas, aut domare, aut tueri, aut repeltiuos fructus ex his capere possemus. Ab eis namque & ea, quæ nocent interficiuntur, & quæ vsui possunt esse capiuntur. Quid enumerem artium multitudinem? sine quibus, vita hominis omnino nulla esse potuisset? Quis enim ægris subvenisset? quæ esset oblectatio valentium? qui victus aut cultus nisi tam multæ nobis artes ministrarentur? Quibus rebus exulta hominum vita tantum distat à victu & cultu bestiarum.

Vrbes verò sine hominū cœtu non potuissent nec ædificari, nec frequentari.

or what commodities could there bee taken, but if men should helpe thereto? For euen they doubtlesse were men, who were the chiefe in deuising what vse we might haue of each beast, nor at this season without mens seruice might wee either keepe horses or breake them, or saue them, or of them take reasonable commodities: and by men also both those beasts bee killed which doe hurt, and those bee taken which may doe seruice. What should I number by a heape of Artes, without which mans life could haue bene none at all? For who should ease the sicke? What delight should there bee among the healthfull? What Dyet? What Apparell? butlesse so many arts should serue vs; with which things mans life being furnished, is become so farre different from the feeding, and coate of beasts.

Cities also, without the assemblie of men, could neither bee builded nor peopled. Where-

Wherebpon Ordinaunces and Customes were made, also an indifferent setting out of Law, and a sure rule to liue after, by which the life is led well and wealfully. Which things both the mildnesse of mindes, and shamefastnesse hath followed, and it is brought to passe, that our life should be the moze safeguarded: and that by giuing and taking, and interchanging of goods and pleasures, we should want nothing. We be longer in this place then neede requires. For who is he, to whom those things are not manifest, which in moze words be recited of Panetius? that neither any captayne in warre, nor Prince at home, could haue atchieued great feates, and auailable without mens indeauour. Rehearsed of him is Themistocles, Pericles, Cyrus, Agesilaus, Alexander, whom he denyes to haue ben able to compassse so great things without the ayde of men.

In a matter no whit doubt-

Ex quo leges moresque constituti, tum iuris æqua descriptio, certa que viuendi disciplina, per quas bene beatè que uiuitur. Quas res & mansuetudo animorum, consecuta, & verecundia est: effectumque est, vt esset vita munitior, atque vt dando & accipiendo, permutandisque facultatibus & commodis nulla re egeremus, Longiores hoc loco sumus, quam necesse est. Quis est enim cui non perspicua sunt illa, quæ pluribus verbis a Panetio commemorantur? neminem neque ducem in bello, nec principem domi, magnas res & salutares sine hominum studijs gerere potuisse. Commemorantur ab eo, Themistocles, Pericles, Cyrus, Agesilaus, Alexander, quos negat sine adiumentis hominum tantas res efficere potuisse.

Vtutur in re non dubia, testibus

De Officijs.

testibus non necessarijs. full, hee bleth witnesses ne
Atque vt magnas vtilita- whit necessary. And as we
tes adipiscimur conspira- obtaine great commodities,
tione hominum, atque by the like minde and con-
consensu, sic nulla tam sent of men, so there is none
detestabilis pestis est, so loathsome a pestilence,
quæ non homini ab ho- which doth not grow to man
mine nascatur. Est Di- by man. There is a booke of
cæarchi liber de interitu Dicoarchus vpon the death
hominum, Perepatetici of men : who was a great
magni & copiosi: qui col- Peripatetike, and plentifull:
lectis cæteris causis elu- and after the other causes ga-
uionis, pestilentia, vasti- thered, together as of water
tatis, belluarum etiam re- breakes, of pestilence, of de-
pentinae multitudinis, struction, yea, and of the so-
quarum impetu docet daine flocking together of
quædam hominum ge- beasts, by whose violence he
nera esse consumpta. De- sheweth how certaine kindes
indè comparat quantò of men were consumed : af-
plures deleti sunt homi- terward hee makes compari-
nes hominum impetu, id son how many moe men haue
est, bellis & seditionibus, beene destroyed by mens vi-
quàm omni reliqua cala- olence, (that is) by warre or
mitate. rebellion, then by all other
misery.

Cùm igitur hic locus
nihil habeat dubitatio-
nis, quin homines plu-
rimum hominibus &
profint & obfint, pro-
prium hoc statuo esse
virtutis, conciliare si-
bi animos hominum &
ad vsus suos adiungere.

Seeing then this place
hath no manner of doubt, but
that men both profit and hurt
men very much : I poynte
this to be a property of ver-
tue to winne mens hearts to
her, and binde them to her
use,

There

Therefore what so in things
liuelesse, and what so in the
vse and occupying of beasts,
is done profitably to mans
life, it is all appoynted to the
laboursome Trades. But
mennes good wills, that be
pess and ready to the ad-
uancement of our estate,
be sturred vp by the wise-
dome and vertue of excellent
men.

For all vertue in a man-
ner consisteth in three points.
Whereof one is in thorough
seeing what in euery thing
is true and perfect, what a-
greeable to each thing, what
is the sequale whereof all
things grow, what is the
cause of euery thing. The
other, to keepe in the trou-
blesome moodes of the minde,
which the Grækes name Pa-
the, and to make the Ap-
petites which they call Or-
mas, obedient vnto Reason.
The thirde, to vse them so-
berly and skilfully, with
whom we be conuersant, by
whose good wills, we may
haue those things at full :

Itaque quæ in rebus in-
animis, quæque in vsu &
tractatione Belluarum
sunt vtiliter ad homi-
num vitam, artibus ea tri-
buuntur operosis. Ho-
minum autem studia; ad
amplificationem nostra-
rum rerum prompta ac
parata virorum præstan-
tium sapientia & virtute
excitantur.

Etenim virtus omnis
tribus in rebus ferè verti-
tur, quarum vna est in per-
cipiendo quid in quaque
re verum sincerumq; sit,
quid consentaneum cui-
que, quid consequens, ex
quo quæque gignantur :
quæ cuiusque rei sit cau-
sa. Alterum, cohibere
motus animi turbatos,
quos Græci Pathe no-
minant: appetitionesq;,
quas illi Ormas obedi-
entes efficere Rationi.
Tertium, ijs quibuscum
congregamur vti mode-
ratè & scienter : quo-
rum studijs ea quæ Na-
tura desiderat, expleta,
cumulataq;

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cumulataq; habeamus, and heaped which nature de-
per eisdemque si quid sties, yea, and by then, if any
importetur nobis incom- harme bee brought vpon vs,
modi, propulsemus, vl- wee may it auoide, and may
ciscamurq; eos, qui nocce bee weakened of those, which
re nobis conari sunt, haue gone about to hurt vs, &
tantaque poena afficia- may pay them with so much
mus, quanta æquitas, punishment, as equitie and
humanitasque patitur. mans gentlenesse doth beare.
Quibus autem rationi- But by what meanes wee
bus hanc facultatem as- may attaine this power, that
sequi possimus, vt homi- wee may compasse mens good
num studia complectam- wilis, and retaine the same :
mur eaq; teneamus, dic- wee shall say, and that, not
emus, neque ita multò long hereafter. But a few
post : sed pauca ante di- words are to be sayde bee-
cenda sunt. fore.

Magnam vim esse in That a great power there is
fortuna, in vtramque in fortune, on eyther side, ey-
partem, vel ad secundas ther for welfare, or euill fare,
res vel aduersas quis ig- who is ignorant ? For both
norat ? Nam & cum pro- when wee enioy her prospe-
spero flatu eius vtimur ad rous blast, wee are carryed to
exitus peruchimur op- our desired ends, & when her
tatos : & cum reflauit, af- winde is turned, wee are af-
fligimur. Hæc igitur ipsa flicted. This same Fortune
fortuna cæteros casus then hath other chaunces,
rariores habet : pri- which be seldomer : first, that
mum ab inanimis, pro- come from things liuelesse : as
cellas, tempestates, nau- sea stormes, tempests, ship-
fragia, ruinas, incen- wracks downfals burnings :
dia, deindè à Bestijs then from Beasts, as stripes
ictus, morsus, impetus. bytings, ouerrunnings.
These

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These therefore (as I said) be seldomer. But the destruction of armies, as a late of this, often of mans slaughter of Captaines, as lately of a noble and singular man: the enuyings moreover of the multitude: and by reason of the same, oftentimes the bannishments, the miseries, the flyings away of the well deserving Citizens: and againe prosperitie, Honour, Emppre, Victorie, although they be in Fortunes hand: yet without mens trauailes, and studies on eyther side, they cannot be brought to passe. This then known: we must declare by what meanes we may allure and stirre by mens good wils to our profits.

The which processe, if it be somewhat long, let it be compared with the greatnes of the profit: so perhappes euen somewhat too short it shall seeme. Whatsoever then men giue to a man, to enrich and aduaunce him eyther they doe it for good

Hæc igitur (vt dixi) rariora. At verò interitus exercituum, vt proximè trium, sæpe multorum: clades imperatorum, vt nuper summi ac singularis viri: inuidiæ præterea multitudinis, atque ob eas bene meritorum sæpe Ciuium expulsiones, calamitates, fugæ: rursumque secundæ res, Honores, Imperia, Victoria, quamquam fortuita sunt, tamen sine hominum operibus, & studijs, neutram in partem effici possunt. Hoc igitur cognito, dicendum est, quonam modo hominum studia ad utilitates nostras allicere atque excitare possimus.

Quæ si longior fuerit oratio, cum magnitudine utilitatis comparatur. Ita fortasse etiam breuior videbitur. Quæcunque igitur homines homini tribuunt, ad eum augendum atque honestandū, aut beneuolentiæ gratia

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gratia faciunt, cū ali-
qua de causa quēpiam
diligunt : aut honoris,
si cuius virtutem susci-
piunt, & si quem dig-
num fortuna quā am-
plissima putant : aut cui
fidem habent, & bene
rebus suis consulere ar-
bitrantur, aut si cuius o-
pes metuunt : aut contra
a quibus aliquid expec-
tant : vt. cū reges po-
pularesvē homines lar-
gitiones aliquas propo-
nunt : aut postremō pre-
tio ac mercede ducun-
tur. Quæ sordidissima
quidem est ratio & in-
quissima, & ijs, qui
ea tenentur & illis qui
ad eam confugere co-
nantur. Malē enim se
res habet cū quod vir-
tute effici debet, id ten-
tatur pecunia. Sed quo-
niam nonnunquam sub-
sidium hoc necessarium
est, quemadmodum sit
vtendum eo, dicemus,
si prius ijs de rebus, quæ
virtuti propriores sunt
dixerimus.

will, when for some cause
they beare affection to any or
else for honours sake, if they
reuerence any mans vertue,
and thinke him worthe of
most fortunate estate: or in
whome they haue a trust, and
doe suppose them to provide
well for their matters, or else
whose power they feare, or
contrariwise of whom they
looke after somewhat, as when
vlurpers and people pleasing
men lay large gifts befoze
them, or at least they be
led by mēde and reward.
Which indēde is the vilest
way, and the sowlest, both
to them who are caught with
the same, and to those who
doe seeke to haue refuge
thereunto. For the matter
goeth not well, when the
same that should be wrought
by vertue is attempted by
money. But because many
times this helpe is necessa-
rie, we will tell how it
ought to be vsed, if first
we shall haue spoken of
those things which be nērer
to vertue.

And

And likewise men make themselves subiect to the rule and authoritie of another for diuers causes. For they bee led eyther with good will, or greatnesse of benefites, or excellency of honour, or hope it shall be profitable to them, or feare least by power they bee driuen to yeld, or as taken with hope of large gifts and promises, or at least, as we see often in our common weale, euen hyed for mæde. And certes of all things neither is there any fitter to maintain a power then to be loued, neither any vnfitter then to be feared.

Notably saith Ennius.

Whom they feare, him they hate alway the most:

Whom any man hateth, he wissheth him lost.

But if afoze it was vnknewne, since alate it is well knowne, that no power can withstād the hatred of many. And truely not onely of death of this tyrant, whom the citie being oppressed with force of

Atque etiam subijciunt se homines imperio alterius & potestati pluribus de causis. Ducuntur enim aut beneuolentia, aut beneficiorum magnitudine, aut dignitatis præstantia, aut spe sibi id utile futurum, aut metu neui parere cogantur, aut spe largitionis, promissionisque capti: aut postremo vt sepe in nostra rep. videmus mercede conducti. Rerum autem omnium nec aptius est quicquam ad opes tuendas ac tenendas quam deligi, nec alienius, quam timeri.

Præclaré enim Ennius.

Quem metuunt odierunt.

Quem quisque odit, perisse expetit.

Multorum autem odijs nullas opes posse obistere: si antea fuit ignotum, nuper esset cognitum. Nec verò huius tyranni solùm, quæ armis oppressa pertulit

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pertulit ciuitas, interitus declarat, quantum odium hominum valet ad pestem: sed reliquorum similes exitus tyrannorum, quorum haud ferè quisquam talem interitum effugit. Malus enim custos diuturnitatis metus: contraque beneuolentia fidelis est, vel ad perpetuitatem. Sed ijs, qui vi oppressos imperio coercent, sit sanè adhibenda sæuitia, vt heris in famulos, si aliter teneri non possunt. Qui verò in libera ciuitate ita se instituunt, vt metuantur, his nihil potest esse dementius. Quamuis enim demersæ sint leges alicuius opibus, quamuis tremefacta libertas: emergunt tamen hæc aliquando aut iudicijs tacitis, aut occultis de honore suffragijs: acriores autem mortus sunt intermissæ libertatis, quàm retentæ. Quod igitur latissimè patet neq; ad incolumitatē

armes did suffer, doth declare how much the hatred of men preuailes to destruction: but the like ends of other Tyrants doe shew as much, of whom scarcely any hath escaped the like death. For feare is an euill keeper of continuance: and contrariwise, good will is faithfull, yea for euer. But let a roughnesse hardly be vled of them: who by rule do keepe straight such as be brought vnder, by force, as of masters ouer seruants, if they cannot otherwise be stayed. But who in a free Citie so order themselves, that they be feared, there can nothing possible be madder then they be. For although the lawes be sunck by some mans might: although libertie be all to shaken yet at length they swim out againe, either by secret iudgements, or by priuate voyces in aduancing to honour: & certes the stringes of ceased libertie be sharper, then of libertie continued. Let vs then embrace that which most largely spreadeth, and most

most largely spreadeth, and most auaileth, not onely to safety, but also to welth and power, that feare be banished, and loue retayned. So most easily we shall obtaine what we desire, both in private matters & in the Common wealth. For who so will themselves to be had in feare, it must needes be, that they themselves feare those same of whom they be feared.

For what thinke we of the first Dionysius? with what torment of feare was he wont to be troubled? who fearing the barbars razors, with a red hote coale singed off his own beard. What of Alexander the Pheraian? with what an heart doe we suppose he liued: who (as we read written) when exceedingly hee loued his wife Thebe: yet coming to her from banquetting into the Chamber hee commanded a Kerne and him also (as it is written) being printed with Thracian marks, to go before with a drawne sword,

solum, sed etiam ad opes & potentiam valet plurimum, id amplectamur, vt metus absit, charitas retineatur. Ita facillime quæ volumus & priuatis in rebus & in Republica consequemur. Etenim qui se metui volent, à quibus metuntur, eodem metuant ipsi necesse est.

Quid enim censemus superiorem illum Dionysium? quo cruciatu timoris angilatum, qui cultros metuens tonsorios candente carbone sibi adurebat capillum.

Quid? Alexandrum Phereum, quo animo vixisse arbitramur? qui (vt scriptum legimus) cum Vxorem Theben admodum deligeret: tamen ad eam ex Epulis in Cubiculum veniens, Barbarum, & eum quidem (vt scriptum est) compunctum potis Threicijs districto gladio iubebat ante ire: M premit-

De Officijs.

præmittebatq; de stipa-
toribus suis, qui perscru-
tarentur arculas mulie-
bres, & nequod in vesti-
mentis occultaretur te-
lum, exquirent. O mi-
serum, qui fideliorem, &
barbarum & stigmati-
am putaret quam coniu-
gem. Nec eum fefellit
opinio, ab ea est enim
ipse propter pellicanus
suspicionem interfectus.
Nec verò vllavis, impe-
rij tanta est, quæ premē-
te metu possit esse diu-
turna. Testis est Phala-
ris, cuius est præter cæ-
teros nobilitata crudeli-
tas: qui non ex insidijs
interijt, vt is, quem mo-
do dixi, Alexander, non
à paucis vt hic noster,
sed in quem vniuersa A-
grigentinorum multitu-
do impetum fecit. Quid
Macedones nonne De-
met. reliquerunt, vniuer-
siq; se ad Pyrrhū contu-
lerūt? Quid Lacedemo-
nios iniuste imperātes
nonne repente omnes
ferē socij deseruerunt,

and hee sent of his garde a-
foze to ransack the womens
Coffers, and seeke that no
weapon were hidden in their
garmentes. O miserable
man, who thought both a
kearne and an yron branded
slawe, faithfuller than his
Wife. And his opinion did
not deceiue him, for by her
hee was slaine for a iealous-
ste of spouse breach. And
truely there is no strength
of Emprze so great, which
with suppressing by feare,
canne be long continuing.
Witness is Phaleris, whose
crueltie is saymed aboue o-
thers, who perished not by
treason as this Alexander
did, whom euen now I
spake off, nor by a few, as
this our man, but against
him the whole commons of
the Agrigentines rose with
violence. What the Mace-
donians, did they not forsake
Demetrius, and all whole got
them to Pyrrhus? What the
Lacedemonians ruling un-
rightfully, did not wel-
nigh all their league friends
sodainely forsake them,
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and shewed themselves idle
lookers on of the ouerthrow
of Leuctra? Forraine exam-
ples gladiers thā home dreads
I rehearse in such a case.

Neuerthelesse as long as
the Empire of the people of
Rome was vpholden by wor-
thy actes, not by wrong do-
ings, and wars were made,
either for defence of league
friends, or for Empire, then
were the ends of wars, ei-
ther mercifull, or necessarie,
the Senate was the haue
and refuge of Kings, of peo-
ples, of nations, and our
Magistrates & Captaines
indeuored to get great praise
by this onely meane, if Pro-
uinces, if league friends, in
right and truth they had de-
fended. Therefore it might
haue ben named the protecti-
on moze truely then the em-
pire of the world. By little &
little we abated this custom
and order, somewhat afore,
but after Syllaes victorie, vt-
terly we lost it. For men cea-
sed to account any thing vn-
reasonable toward league
friends, when so great

spectatoresq; se otiosos
præbuerunt Leuctricæ
calamitatis? Externali-
bentius in tali re quam
domestica recordor.

Verumtamen quamdiu
imperium populi Ro-
mani, beneficijs tene-
batur, non iniurijs, bel-
la aut pro socijs, aut de
imperio gerebantur, ex-
itus erant bellorum, aut
mites, aut necessarij. Re-
gum, populorum, natio-
num, portus erat & per-
fugium Senatus. Nostri
autem Magistratus, im-
peratoresq; ex vna hac
re maximam laudem ca-
pere studebant, si pro-
uincias, si socios æquita-
te, & fide defendissent.
Itaq; illud patrocinium
orbis terræ verius quàm
imperium poterat no-
minari. Sensim hanc
consuetudinem & disci-
plinam iam antea minu-
ebamus, post verò Syl-
læ victoriam penitus a-
misimus. Desitum est
enim videri quicquam
in socios iniquum, cum
M 2 exitisset

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extitisset etiam in Cives tanta crudelitas. Ergo in illo secuta est honestam causam non honesta victoria. Est enim ausus dicere hasta posita cum bona in foro venderet, & bonorum virorum & locupletium, & certè civium prædam se suam vendere. Sequutus est, qui in causa impia, victoria etiam fœdiore, non solum singulorum civium bona publicaret, sed vniuersas quoque prouincias, regionesque vno calamitatis genere comprehenderet. Itaque vexatis, ac perditis exteris nationibus, ad exemplum amissi imperij, portari in triumpho Massilam vidimus, & ex ea vrbem triumphari, sine qua numquam nostri imperatores ex Transalpinis bellis triumpharunt. Multa præterea commemorarem nefaria in socios: si hoc vno Sol quicquam vidisset indignius. Iure igitur plectimur. Nisi

cruelty was shewed euen against Cittizens. Therefoze there followed in him of an honest quarrell an vn honest victory. For when the salestasse was pight, and in the market place he sold the goods both of good men and rich, and those euen Cittizens, he was so bold to say that he made sale of his lawfull booty. One succeeded, who in a wicked cause and a more shamefull victory not onely put the goods of euery one of the Cittizens to open sale, but in one state of misery inwrapped whole prouinces & regions, & so foraine nations being bexed & vndon we saw Massilia borne about in triumph, for a shew of our empyre lost, & triumph made ouer the city, without which our Captaines of wars neuer got any triumph, beyond the Alpes. I could rehearse many more cursed deeds beside, done against our league friends, if the Sunne had seene ought more hainous then this one. Justly therefore are we scourged: for had we

were not suffered the wicked-
 nesse of many to be unpun-
 shed, such a lawlesse libertie
 had neuer come to the hands
 of one, from whom soothly
 the inheritance of his goods
 came to few, but of his gre-
 die desires to many naughty
 men. For truely, the seede &
 cause of ciuill warres shall
 euer faile as long as mischi-
 uous men shall both remem-
 ber & hope after that bloudie
 sale stasse, which when Pub-
 lius Sylla had shaken, his
 nigh kinsman being Dicta-
 tor, the same slept not once
 backe from the shaking of a
 like more mischieuous stasse
 the sixt and thirtie yere af-
 ter. But the other who in
 the Dictator had ben secre-
 tarie, in this was Treasu-
 rer for the citie. Whereupon
 ought to be vnderstood, that
 while such booties bee laide
 afoze men, ciuill wars shall
 neuer want. And so only the
 wals of the citie do stand &
 remaine, yea & those same e-
 uen now dreading th. ir last
 mischiefe, but the common
 weale we haue vtterly lost.

enim multorum impu-
 nita scelera tulissimus,
 nunquam ad vnum tan-
 ta peruenisset licentia :
 à quo quidem rei fa-
 miliaris ad patricos, ci-
 piditatum, ad multos
 improbos venit hære-
 ditas. Nec verò vn-
 quam bellorum ciuili-
 um semen & causa dee-
 rit, dum homines per-
 diti hastam illam cruen-
 tam, & meminerint &
 sperabunt, quam Pub.
 Sylla cum vrbrasset dic-
 tatore propinquo suo,
 idem sexto & tricesimo
 anno post, à sceleratiore
 hasta eadem non reces-
 sit. Alter autem qui in
 illa dictatura scriba fue-
 rat, in hæc fuit quæstor
 vrbanus. Ex quo debet
 intelligi, talibus præmijs
 prepositis, nunquam
 defutura bella ciuilia.
 Itaque parietes vrbis
 modo stant & manent,
 ijsque ipsi iam extrema
 scelera metuentes, Rem
 verò publicam penitus
 amisimus.

M 3

Atque

De Officijs.

Atque in has clades incidimus (redeundū est enim ad propositum) dū metui, quā chari esse, & diligī maluimus. Quā si populo Romano iniuste imperanti accidere potuerunt, quid debent putare singuli. Quod cū perspicuum sit beneuolentiam esse magnam, metus imbecillē, sequitur vt differamus, quibus rebus facillimē possumus eam, quam volumus, adipisci cum honore & fide charitatē. Sed ea non parit̃r omnes eagemus.

Nam ad cuiusq; vitam instituendam accommodandum est à multis ne opus sit, an satis sit à paucis diligī. Certum igitur hoc sit, idq; & primum & maximē necessarium, familiaritates habere fidas amantium nos amicorum, & nostra mirantium. Hæc enim est vna res prorsus, vt non differat multum inter summos & mediocres viros

And into these destruat̃s we are faine (for we must return to our purpose) while we had rather to be feared, then to be dear and welbeloued. If all this could befall to the people of Rome, ruling b̃rightly what ought euery free man to thinke? which thing sith it is euident, that the power of good will is great, of feare slender, it follows that we make discourse by what means we may swonest with honour & b̃rightnesse attain the loue which we desire. But all we doe not alike stand in neede of the same.

For to the trading of each mannes life, it must be applyed whether it be needfull, of many, or sufficient of few to be beloued. Let this therefore be certaine, as the thing which is both principal and most necessary to haue faithful familiarities of friends louing vs, and highly esteeming our vertues. For this is the only mean indeed, that there be not much difference between great & meane men,
and

and it must be procured in a manner of them both. Not all perchaunce doe stand in like need of honour and glory, and Citizens good wils: but yet who so hath them, they further somewhat both to other things, and also to the purchasing of friendships. But of friendship we haue spoken in the Booke which is entituled *Laelius*. Now let vs speak of glory, though of that matter also there betwixt books of ours, yet let vs touch it, because the same auailleth much in executing of greter matters.

The highest therefore and perfect glory stādeth of these thre, if the multitude fauor vs, if they haue a trust in vs, if with a certaine admiration they count vs worthy of honour. And if we must speake it plainly & briefly as these be gotten at the hands of euery free man, by the same meanes in a manner they be obtained of the multitude. But there is also a certaine other entrance into the multitude, that we may (as yē

eaque est vtrisque; pro modo comparanda. Honore, & gloria, & beneuolentia ciuium fortasse non æque omnes egent: sed tamen si cui hæc suppetunt, adiuuant aliquantum cum ad cætera, tum ad amicitias comparandas. Sed de amicitia alio libro dictum est, qui inscribitur *Laelius*. Nunc dicam de gloria, quamquam ea quoque de re nostri libri duo sunt.

Sed attingamus, quando quidem ea in rebus maioribus administrandis adiuuant plurimum. Summa igitur & perfecta gloria constat ex tribus his. Si diligit multitudo, si fidem habet, si cum admiratione quadam honore nos dignos putat. Hæc autem (si est simpliciter breuiterque dicendum) quibus rebus pariuntur à singulis, eisdem ferè à multitudine. Sed est alius quoque quidam aditus ad multitudinem, vt in vniuersorum

De Officijs.

animos tanquam influere possimus.

At primum de illis tribus, quæ antè dixi, benevolentia præcepta videamus, quæ quidem beneficij capitur maxime. Secundo autem loco beneficia voluntate benevolentia mouetur, etiam si res forte non suppetit. Vehementer autem amor multitudinis commouetur ipsa fama & opinione liberalitatis, beneficentia, iustitiae, fidei, omniumque earum virtutum, quæ pertinent ad mansuetudinem, ac facilitatem. Etenim illud ipsum quod decorum, honestumque dicimus, quia per se nobis placet, animosque omnium natura & specie sua commouet, maximeque quasi perlucet ex ijs, quas commemoravi virtutibus: idcirco illos, in quibus eas virtutes esse remur, à natura ipsa diligere cognitur. Atque hæc quidem causæ sunt

would say) flow into the hearts of the whole.

And first let vs see touching those three which before I called the precepts of good will, the which no doubt is caught most of all by benefits. And secondarily, good will is allured by a well willing minde, although perhaps abilitie sufficeth not. But wonderfully the loue of the multitude is all to stirred with the same & opinion of liberalitie, bounteousnes, iustice, faithfulness, and of all those vertues, which appertaine to the mildnesse of manners & gentlenesse. For the very same which we name comely and honest, because of it selfe it liketh vs, & with his owne nature and beauty moueth al our minds and principally shineth (as it were) out of those vertues which I haue reherced, therefore by very nature we are enforced to fauour them, in whom we thinke those vertues to bee. And these verely bee, the weyghtyest causes of fauouring, there

they may be bestde. But that a trust may be had in vs, by two things it may be brought to passe: if we shal be thought to haue attained *Prudence* rayned with *Iustice*. For both to them we haue a trust whom we suppose to vnderstand moze then our selues: and also to them who we beleue be able both to foresee things to come, and also to dispatch thy businesse, and forthwith to take counsaile when the matter is in hand, and stands in hazard. For all men doe iudge this the profitable & true *prudence*.

But in such wise credit is giuen to iust and trusty men (that is) to good men: that in them ther is no suspicion of deceit and iniury. Therefore to these our life, to these our goods, to these our children, we suppose very well to bee committed. Of these two then *iustice* is of more power to winne a credit, because it without *Prudence* hath sufficient authority, *Prudence* without *iustice* is no

diligendi grauissimæ. Possunt enim præterea nonnullæ esse leuiiores. Fides autē vt habeatur, duab' rebus effici potest: si existimabimur adepti coniunctam cum iustitia prudentiam. Nam & ijs fidem habemus, quos plus intelligere, quā nos arbitramur. quosq; & futura prospicere credim', & cum res agatur, in discrimenq; ventum sit, expedire rem, & consiliū, ex tēpore capere posse. Hanc enim omnes existimant, vtilem veramq; prudentiam.

Iustis autem & fidis hominibus, id est, viris bonis ita fides habetur, vt nulla sit in his, fraudis iniuræq; suspicio. Itaque his salutem nostram, his fortunas, his liberos, rectissime committi arbitramur. Harū igitur duarum, ad fidem faciendam, iustitia plus pollet. Quippe cum ea sine prudentia, satis habeat auctoritatis: prudentia sine iustitia

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iustitia nihil valet ad faciendam fidem. Quo enim quis versutior & callidior est, hoc inuisior & suspectior detracta opinionione probitatis. Quamobrem intelligentiæ iustitia coniuncta quantum volet, habebit ad faciendam fidem, virium. Iustitia sine Prudentia multum poterit, sine Iustitia nihil valebit Prudentia. Sed ne quis sit admiratus, cur cum inter omnes Philosophos constet, a meq; ipso sæpe disputatum sit, qui vnam haberet, omnes habere virtutes: nunc ita se iungam quasi possit quisquā qui non idem prudens sit, iustus esse. Alia est illa, cum veritas ipsa limatur in disputatione subtilitas: alia cum ad opinionem communem omnis accommodatur oratio. Quamobrem vt vulgus, ita nos hoc loco loquimur, vt alios fortes, alios bonos viros, alios prudentes esse dicamus.

thing worthy to get credit. For the subtiller & the craftier that a man is, so much the more he is hated and suspected, when the opinion of his honesty is pulled away. Wherefore Justice ioyned with Understanding, shall haue as much power as it list to purchase credit. Justice without prudence shall be of much power, prudence without Justice shall be nothing worth. But least some man haue meruaile, seeing amongst all Philosophers it is plaine, and by my selfe disputed often: him that should haue one vertue, to haue all the vertues: why I doe now sunder them so, as though there may any man be iust, which same is not prudent, of one sort is that subtilnesse when very truth is leuelled in disputation: and of another sort is that talke, when it is al applited to the common opinion, wherfore we speake so in this place as the common sort do, that we cal some one sort manly, some other good men, some other prudēt.

For

For with the peoples words and vsuall tearmes we must treat when we speake of the common peoples opinion, & that did Panetius after the same sort. But to the purpose let vs returne.

Of the three therfore which should appertayne to glory. this was the third, that with admiration of men we might by them be thought worthy of honour. Generally then they haue in admiration doubtlesse all things, which they haue noted to be great, and beyond their wæning, and seuerally in euery free man, if they perfectly see good things vnlacked for. Therfore they honour these men, and with highest prayles set them aloft: in whom they thinck themselues to behold certain passing and singular vertues. But those they despise and set at nought: in whom no vertue, no courage no strength they iudge. For all men doe not dispise them of whom they thinck euill. For whom they deeme dishonest, misse reporters guiltful,

Popularibus enim verbis est agendum & vsitatis cum loquimur de opinione populari: idque eodem modo fecit Panætius. Sed ad propositum reuertamur.

Erat igitur ex tribus, quæ ad gloriam pertinerent, hoc tertium, ut cum admiratione hominum honore ab his digni iudicaremur. Admirantur igitur communiter illi quidem omnia, quæ magna & præter opinionem suam animaduertunt, separatim autem in singulis si perspiciunt, nec opinata quædam bona. Itaque eos viros suspiciunt, maximisque efferunt laudibus, in quibus existimant se excellentes quasdam & singulares virtutes perspicere. Despiciunt autem eos & contemnunt, in quibus nihil virtutis, nihil animi, nihil neruorum putant. Non enim omnes eos contemnunt, de quibus male existimant. Nam quos improbos, male-

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maledicos, fraudulentos putant, & ad faciendam iniuriam instructos, eos haud contemnunt quidem, sed de his malè existimant. Quamobrem (vt antè dixi) contemnuntur ij, qui nec sibi, nec alteri prosunt (vt dicitur) in quibus nullus labor, nulla industria, nulla cura est. Admirati-
one quadam verò afficiuntur ij, qui anteire cæteris virtute putantur: & cum omni carere dedecore, tum verò ijs vitijs, quibus alij non facile possunt obfistere. Nam & voluptates blandissimè dominæ, sepe maiores partes animi à virtute detorquent, & dolorū cum admoventur faces, præter modum plerique exterrantur. Vita, mors, diuitiæ, paupertas omnes homines vehementissimè permouent. Quæ qui in vtrāque partem excelsò animo, magnoq; dispiciunt, cumq; aliqua his ampla & honesta res

and ready framed to doe wrong, those they despise not certes, but of them they thinck euill, wherefore (as I sayd afoze) they bē despised, who neyther to themselves nor to other doe good, (as they say) in whom there is no painfulness, no diligence, no caring, but they bē reuerenced with a certaine admiration, who are thought to goe before others in vertue, and to bē without both all vnseemliness, and also those vices, which other cannot easely withstand. For both pleasures, full flattering dames, doe oftentimes wrest the greater part of the minde from vertue, and also when the brandes of paynes bē laid vnto them, most men beyond measure bē all to fraid. Life, death, riches, po-
uertie, most mightely moue all men. Which things who so on either side, with a lofty and great courage doe despise, and when before them is offered any goodly and honest thing, it turneth and
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haleth them whole to it selfe: then who doth not meruaile at the brightnesse and beauty of vertue?

Therefore both this despising mind causeth a great wondering, and specially iustice of which vertue alone good men be named, seemeth to the multitude a wonderful thing, and not without cause. For none can bee iust who dreadgeth death, payne, banishment or pouerty, nor any that befoze equity preferreth the contraries. And most of all they wonder at him who is not tempted with money, & in what man that is wel tryed, him think they worthy to be regarded. Therefore iustice doth work all these things, which be pointed out for glory, and gettes good will also, because it meanes to profit very many, & for the same cause it worketh credite likewise, and admiration, because it despiseth and nought regardeth those things, wherunto most men inkindled with greedinesse, bee haied. And surely after

obiecta est, totos ad se conuertit & rapit: tum quis non admiretur splendorem, pulchritudinemque virtutis?

Ergo & hæc animi dispicientia admirabilitatem magnam facit, & maximè iustitia, ex qua vna virtute viri boni appellantur mirifica quædã res multitudini videtur: nec iniuria. Nemo enim iustus esse potest, qui mortem, qui dolorem, qui exilium, qui egestatè timeret, aut qui, ea, quæ his sunt contraria, equitati anteponit. Maximè quæ admirantur eum, qui pecunia non mouetur: quod in quo viro perspectum sit, hunc dignum spectatu arbitrantur. Itaque illa tria quæ proposita sunt ad gloriã, omnia iustitia confecit, & beneuolentiam, quæ prodesse vult plurimis, & ob eandem causam fidem: & admirationem quod eas res spernit & negligit, ad quas plerique inflammata auditate

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aviditate rapiuntur. Ac mea quidem sententia, omnis ratio & institutio vitæ adiumenta hominum desiderat. Inprimis; vt habeas, quibuscum possis familiares cōferre sermones: quod est difficile, nisi speciem præ te boni viri feras. Ergo etiā solitario homini, atq; in agro vitam agentis opinio iustitiæ necessaria est, cōque etiam magis, quod si eam non habebunt, iniusti habebuntur: & nullis præsidijs septi multis afficientur iniurijs. Atq; his etiam, qui vendunt, emunt, cōducunt, locant, contrahendisq; negotijs implicantur, iustitia ad rem gerendam necessaria est. Cuius tanta vis est, vt ne illi quidem, qui maleficio & scelere pascuntur, possint sine vlla particula iustitiæ viuere. Nam qui eorum cuipiam qui vnà latrocinantur, clam furatur aliquid aut eripit, is sibi ne in

my iudgement, euery trade and order of life requireth the aides of men. And chiefly that y^e haue some, with whom you may debate in familiar talke: which is hard vntlesse y^e beare vpon you the shew of an honest man. Therefore opinion of Justice is necessarye euen to the alone liuer, and one that leades his life in the fieldes, yea and so much the more, because if they haue it not, vniust they shall be counted, and being garded with no defence, shall be vexed with many iniuries. And to these also, who doe sell, buy, hyre, let, and be entangled in bargaining businesse, Justice to go thzough with their matters, is necessary. Whose power is so great, that euen they, who be fed with euill doing and mischief, cannot possible liue without some parcell of Justice. For who stealeth or priuylie picketh any thing from any of them, with whom hee goeth a theeuing,

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hē leaueth not himselfe a place, no not in robberte.

And vlesse hē who is named the Archepirate, diuide the prise equally, cyther he shal be slain of his mates, or else forsaken. Pea and it is sayde there are Lawes among thēues, whereto they obey and doe obserue them. And so by reason of the euen portioning of the prise, both Bargulus the Illirian robber, of whom mention was made in Theopompus, had great riches: and much greater had Viriatus the Lusitan: to whom of truth euen our armyes and Captaines gaue place: whom Caius Lælius, hē that was commonly called the wise, being Pretor, did discomfit, and abate & so alaid his fiercenesse, that he left an easie war to other. Seeing then the strength of iustice is so great: that it also stablisheth & encreaseth robbers riches, how great suppose we the power thereof to be among lawes and iudgements, and ordinances of a Common weale.

latrocinio quidem relinquit locum.

Ille autem, qui archipirata dicitur nisi æqualiter prædam dispartiat, aut occidetur à socijs, aut relinquetur. Quin etiam leges latronum esse dicuntur, quibus pareant, quas obseruent. Itaque propter æquabilem prædæ partitionem, & Bargul' Illyrius latro (de quo est apud Theopompū) magnas opes habuit: & multò maiores Viriatus Lusitanus, cui quidem etiam exercitus nostri, imperatoresque cesserunt: quem Caius Lælius is qui sapiens vsurpatur, Prætor fregit, & comminuit, fœrocitatemque eius ita repressit, vt facile bellum reliquis traderet. Cū igitur tanta vis Iustitiæ sit, vt ea etiam latronum opes firmet, atque augeat: quantum eius vim inter leges, & iudicia, & instituta Reipub. fore putamus?

Mihi

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Mihi quidem non apud Medos solum (ut ait Herodotus) sed etiam apud maiores nostros iustitiæ fruendæ causa videntur olim bene morati reges constituti ? Nam cum præmeretur initio multitudo ab ijs, qui maiores opes habebant, ad vnum aliquem confugiebant virtute præstantem, qui cum prohiberet iniuria tenuiores, æquitate constituenda, summos cum infimis pari iure retinebat. Eademq; constitutidarum legum fuit causa, quæ regum. Ius enim semper est quæsitum æquabile : neq; enim aliter esset ius. Id si ab vno bono & iusto viro consequebantur, eo erant contenti : cum id minus contingeret, leges sunt inuentæ, quæ cum omnibus semper vna atque eadem voce loquerentur. Ergo hoc quidè perspicuum est, eos ad imperandum deligi solitos,

Certes me thinke, not onely among the Medes (as telleth Herodotus) but also among our ancestors, in old time well conditioned kings haue bene ordained for the end of introyng Justice. For at the beginning, when the multitude was oppressed by them who had the greater power, for refuge they fled to some one excellling in vertue, who when he saued the weaker from iniurie, by painting out an equitie, kept the highest with the lowest in difference of law. And the like cause there was of making lawes, as of kings. For euermore an egal right hath been sought, for otherwise it were not a right. If they obtayned the same at the hands of one iust and good man, with him they were contented: when that chanced not, Lawes were deuised, which with all men alwayes in one and alike voice should speake. Wherefore this is doubtles a clere case, that they were wont to be chosen to gouern,

of

of whose Justice the opinion of the multitude was great. And this thereto adiopned, that they also might be counted wise: there was nothing that men vnder those guides should wisene themselves vnable to attaine.

Justice therefore is by all manner meanes to be regarded and maintained: both it for it selfe sake (for else it were not Justice) and also for the enlargement of honour and glory. But as there is a way not onely of getting money, but also of bestowing it, which may suffice for continuall charges, not onely such as be necessary but also liberall, so glory must be both gotten, and ordered by a meane. Notwithstanding notably Socrates did say, this to be the nearest, and (as it were) the gaine way to glory, if a man would endeaour this to be indeede such as he would be counted. And if any doe deme themselves able to attaine needfast glory, by false pretence, and

quorum de iustitia magna esset opinio multitudinis. Adhuc vero hoc, vt ijdem etiam prudentes haberentur: nihil erat qd' homines his auctoribus non posse consequi se arbitrantur.

Omni igitur ratione colenda & retinenda iustitia est, cum ipsa propter se (nam aliter iustitia non esset) tum propter amplificationem honoris & gloriæ. Sed vt pecuniæ non querendæ solum ratio est, verum etiam collocandæ, quæ perpetuus sumptus supeditet, nec solum necessarios, sed etiam liberales: sic gloria & querenda & collocanda ratio est. Quamquam præclare Socrates, hanc viam ad gloriam proximam & quasi compendariam dicebat esse, si quis id ageret, vt qualis haberi vellet, talis esset. Quod si qui simulatione, & inani ostentatione & ficto nō modò sermone, N sed

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sed etiam vultu stabilem
se gloriam consequi
possunt, vehementer
errant.

Vera gloria radices a-
git, atq; etiam propaga-
tur: ficta omnia celeri-
ter, tanquam flosculi de-
cidunt, nec simulatum
potest quicquam esse di-
uturnu. Testes sunt per-
multi in vtramque par-
tem, sed breuitatis causa,
familia contenti erimus
vna. Tiberius enim
Gracchus, Publij filius,
tam diu laudabitur, dum
memoria rerum Roma-
narum manebit. At eius
filij nec viui probaban-
tur à bonis, & mortui
numerum obtinent iure
censorum. Qui igitur a-
dipisci veram iustitiæ
gloriam volent, iustitiæ
fungantur officijs. Ea
quæ essent, dictum est
in superiore libro. Sed
vt facillimè quales simus
tales esse videamur, & si
in eo ipso vis maxima
est, vt simus ij, qui habe-
rivelimus, tamen quædā

baime outshew, both with
fayned speech and counte-
nance, they be farre out of
the way.

The true gloze taketh
deepe roote, and also shewes
abroad: all counterfayte
things doe some shedde, as
doe the little flowers, ne-
ther canne there any forged
thing be durable. Witnesse
very many there be on both
sides: but for shortnesse sake,
we will be contented with
one family. For Tiberius
Gracchus, Publius Sonne, so
long shall be praised, as re-
membrence of the Romaine
state shall stand. But his
sons, nether liuing were li-
ked of good men, & did go in
the number of men rightfull-
ly put to death. Let them the
who so the true gloze wil at-
taine, performe the duties of
iustice. What those were, it
was told in the former booke.
But to the end, that soon we
may seem such maner men, as
we be, although the greatest
effect is euen in this poynt &
we be such, as we would
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precepts are to be giuen.

For if any from his first entered age hath cause of name and fame epyther receiued of his father, which to you my Cicero, I suppose to haue happened, or by any chaunce and fortune: on him all mens eyes are cast, and of him there is searching what he doth, and how he liueth: and so as though he should lead his life in most open light, neyther word nor deed of his can be vnknowne. But whose first age is passed without mens knowledge by reason of basenesse and vnknowne name: these, as soone as they begin to be young men, ought to looke after great things, and to please vnto the same with direct studyes. Which they shall doe with so much the better courage, because age is not onely not enuyed, but also fauoured.

The chiefe setting forth then for a yong man to glory is, if any praise may be gotten by feats of armes, wherein many haue shewed them-

præcepta danda sunt.

Nam si quis ab incunte ætate habet causam celebritatis & nominis aut à patre acceptam (quod tibi mi Cicero, arbitror contisse) aut aliquo casu atq; fortuna: in hunc oculi omnium conijciuntur, atq; in eo quid agat, quem admodum viuatur, inquiritur & tanquam in clarissima luce versetur, ita nullum obscurum potest nec dictum eius esse, nec factum. Quorum autem prima ætas propter humilitatem & obscuritatem in hominum ignorantia versatur: hi simul ac iuuenes esse cœperunt, magna spectare, & ad ea rectis studiis debent cōtendere. Quod eo firmiore animo, facient, quia non modò non inuidetur illi ætati, verum etiam fauctur.

Prima igitur est adolescenti commendatio ad gloriam, si qua ex bellicis rebus comparari potest,

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potest, in qua multi apud maiores nostros extiterunt. Semper enim ferè bella gerebantur. Tua autem ætas incidit in id bellum, cuius altera pars sceleris nimium habuit, altera fœlicitatis parum. Quo tamen in bello cum te Pompeius alæ alteri præfecisset, magnam laudem & à summo viro & ab exercitu consequere equitando, iaculando, omnia q; militari labore tollerando. Atq; ea quidem tua laus pariter cum reperiit. Mihi autem hæc oratio suscepta non de te est sed de genere toto. Quamobrem ad ea, quæ restant pergamus.

Vt igitur in reliquis rebus multa maiora sunt opera animi, quàm corporis, si cæ res quas persequimur ingenio ac ratione, gratiores sunt quam illæ, quas viribus. Prima igitur commendatio, proficiscitur à modestia, tum à pietate in

selues among our ancestors, for wars were almost continually kept. But your age chaunced vpon that warre, where the one side had too much mischief, the other little good fortune. In which war yet when Pompeius had made you Captaine of one wing: both of a man most noble, & of the army, you got great praise with riding, with throwing the dart, & sustaining all things with a soldierlike painfulness. And verily that your praise and the common weale fell together. But of mee this treatise is not taken in hand touching you, but touching the whole generality. Wherefore let vs goe forward to such things as doe remaine.

And then in other matters the workes of the minde be much more than of the body: so those things which with wit and reason we goe through, be of more grace, then those which we do with strength. The first commendation then proceedeth of sober moode: the next, of naturall

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naturall duety toward parents: the third of good will toward theirs.

But to the best commendation, young men be knowne swiftest of all, who haue bestowed themselues with noble and wise men, wel counselling the common weale: on whō if they be attendant, they bring the people in beliefe, that they will proue like them, whom they haue chosen themselues to follow. P. Mutius house did set out P. Rutilius youth state, for opinion both of harmelesse life, & of knowledge in the law. For as for Lucius Crassus, when hee was a very young man, hee borrowed not from any other place, but wanne himselfe a very great praise, by that noble and glorious accusation. And in which age they who haue exercised are wont to bee aduanced with praise, as we haue heard by Demosthenes: in the same age Lucius Crassus did shew himselfe in open court, to do that very well, hauing fore studied, which euen

parentes, tum in suos beneuolentia.

Facillimè autem & in optimam partem cognoscuntur adolescentes qui se ad claros & sapientes viros bene consulentes reip. contulerunt: quibus cum si frequentes sunt, opinionem afferunt populo, eorum fore se similes, quos sibi ipsi deligerunt ad imitandum. Publij Rutilij adolescentiam ad opinionem, & innocentiam, & iuris scientiam P. Mutij commendauit domus. Nam Lucius quidem Crassus, cum esset admodum adolescens, non aliunde mutuatus est, sibi ipse peperit maximam laudem in illa accusatione nobili & gloriosa. Et qua ætate qui exercentur, laude affici solent (vt Demosthenem accepimus:) eadem ætate Lucius Crassus ostendit, id se in foro optimè iam præmeditatum facere, quid etiam

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tum poterat domi cum laude meditari.

Sed cum duplex ratio fit orationis, quarum in altera fit sermo, in altera contentio, non est id quidem dubium, quin contentio orationis plurimum possit, & maiorem vim habeat ad gloriam. Ea est enim, quam eloquentiam dicimus. Sed tamen difficile dictu est, quantopere conciliet animos hominum comitas. affabilitasque sermonis. Extant epistolæ & Philippi ad Alexandrum, & Antipatri ad Cassandrum & Antigoni ad Philippum trium prudentissimorum, (sic enim accepimus) quibus præcipiunt ut oratione benigna multitudinis animos ad benevolentiam alliciant: militesque blandè appellando sermone deliniant.

Quæ autem in multitudine cum contentione habetur oratio, ea sæpe yniversam excitat gloriam

then at home with prayse he might haue exercised.

But whereas there be two sorts of speech, whereof in the one is familiar talke, in the other vehemencie: it is no doubt but the vehemencie of speech may doe most, and hath the greater furtherance to glory. For that is the thing which we doe call eloquence: but yet it is hard to tell how much a gentlenesse and familiarnesse of speech winneth mens mindes. There be letters abroad of Philippus to Alexander, and of Antipater to Cassander, and of Antigonius to Philippus, three very wise men, (for so we haue heard) in which they giue rules, that with gentle speech they allure the hearts of the multitude, to owe their good will, and that they please their Souldiers, by speaking to them with sayre wordes.

But that oration which is made among the multitude with vehemence, oftentimes rayseth an vniuersall glory.

For

For great is the wonderment at him that plentifully and wisely speaketh, whom the hearers doe iudge also to vnderstand more, and to be wiser than others. And if in the Oration there be grauenesse mingled with sober mode: nothing there can be done more wonderfull, and so much the more, if those be in a young man.

But whereas there be very many kindes of causes which do require eloquence, and many young men in our Common weale, both before the Judges, and before the Senate, haue attained praise by speaking in matters: the greatest admiration is in iudiciall causes: the nature whereof is in two parts. For it standeth in accusation, & defence, of which albeit defence is the more commendable, yet also accusation is oftentimes allowed. I speake of Crassus a little before: the like did Marcus Antonius being a young man: an accusation also brought Publius Sulpitius eloquence

Magna est enim admiratio copiosè sapienterq; dicentis, quem qui audiunt, intelligere etiam & sapere plus quam cæteros arbitrantur. Si verò inest in oratione mixta modestiæ grauitas, nil admirabilius fieri potest, eoq;ue magis, si ea sunt in adulescente.

Sed cum sint pluri-
ma causarum genera,
quæ eloquentiam desiderat, multiq; in nostra
Repubblica adulescentes,
& apud Iudices & apud
Senatum dicendo, lau-
dem assequuti sunt: ma-
xima est admiratio in
iudicijs. Quorum ratio
duplex est. Nam ex ac-
culatione & defensione
constat, quarum etsi
laudabilior est defensio,
tamen etiam accusatio
probata persepè est.
Dixi paulò antè de
Crassio. Idem fecit ado-
lescens Marcus Anto-
nius: etiam P. Sulpitij
eloquentiam accusatio
N 4 illustrauit

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illustrauit cum seditionum & inutilem Ciuem Caium Norbanum in iudicium vocauit.

Sed hoc quidem non est saepe faciendum nec vnquam, nisi aut Reipublicae causa, vt duo Liculli: aut patrocinijs, vt nos pro Siculis, pro Sardis, pro Marco Albutio, Iulius Caesar. In accusando etiam Aquilio Lucij Fucij cognita industria est. Semel igitur aut non saepe certe. Sin erit cur faciendum sit saepius Reipub. tribuat hoc muneris, cuius inimicos vltimi saepius non est reprehendum: modus tamen adfit. Duri enim hominis, vel potius vix hominis videtur periculum capitis infetre multis. Id enim cum periculosum ipsi est, tum etiam fordidum ad famam committere, vt accusator nominere.

Quod contigit Marco

to light, when into iudgement he called the seditious and vnprofitable Cittizen, Caius Norbanus.

But this sauely is not often to be done, nor at any time, vnlesse eyther for the Common weales cause: as did the two Luculli: or for protection sake: as we did for the Silicetans, and for the Sardines. Iulius Caesar, for M. Albutius did the like. Also Lucius Fucius diligence was knowne in the accusing of M. Aquilius. Once then it may be done, not often certes. But in case a man must needs doe it often, let him ascribe this office to the Common weale: whose enemies to reuenge often, is not to be reprobued: yet let there bee a measure present. For of a hard hearted man or rather scarce a man, it seems vpon many to bring the daunger of lyfe: for that both is dangerous, to himselfe & also a shamefull blot in his name to giue cause that he be named a Promotour.

Which chanced to Marcus Brutus

Brutus
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Brutus, boyne of a noble
stock, his sonne, who was
born well skilled in the ci-
uill law. And thereto this
rule of dutie must be dili-
gently kept, that ye bring no
innocent at any time in
iudgement vpon life, for that
can in no wise be done with-
out hainous wickednesse.
For what is there so vnna-
tural, as to turne eloquence,
being giuen of Nature for
the sauegard and preserua-
tion of men, to the harme
and destruction of good
men. And yet as this is
to be eschewed, so it is not
to be accounted contrarie
to godlinesse, to defend the
guilty otherwhile, and mis-
chieuous, and wicked. This
the multitude desireth, cu-
stome beareth, humane
also worketh. The Iud-
ges part is, euermore in
causes to follow the truth:
the Counsellors part, ma-
ny times to defend the truth
like, though it be not so
true. Which to write, I
would not be bold, namely
seeing I treat of philosophy,

Bruto, summo genere
nato, illius filio, qui iuris
ciuilis in primis peritus
fuit. Atque etiam hoc
præceptum officij dili-
genter tenendum est, ne
quem vnquam innocen-
tem in iudicium capitis
arcessas, id enim sine
scelere fieri nullo pacto
potest. Nam quid est
tam inhumanum, quam
eloquentiam à natura
ad salutem hominum
& ad conseruationem
datam ad bonorum pestem
perniciemque con-
uertere? Nec tamen, vt
hoc fugiendum est, ita
habendum est religioni,
nocentem aliquando, &
nefarium, impiumque de-
fendere. Vult hoc mul-
titude, pariter consuetu-
do, fert etiam humani-
tas. Iudicis est semper
in causis verum sequi:
patroni, nonnumquam
veri simile, etiam si
minus sit verum, defen-
dere. Quod scribere
(præsertim cum de Phi-
losophia scriberem) non
auderem,

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auderem nisi idem placeret grauissimo Stoicorum Panætio. Maximè autem & gloria paritur & gratia, defensio- nibus: eoquæ maior, si quando accidit, vt ei subueniatur qui potentis alicuius opibus circum- ueniri, vrgerique videatur: vt nos & sæpe ali- às, & adolescentes contra L. Sillæ dominantis opes, pro Sexto Roscio Amerino fecimus, quæ (vt scis) exstat oratio.

Sed expositis adoles- centium officijs, quæ valeant ad gloriam ad- piscendam, deinceps de beneficentia ac liberali- tate dicendum est, cuius est ratio duplex. Nam aut opera benignè fit indigentibus, aut pecunia. Facilius est hæc posterior locupletè præsertim: sed illa lautior ac splendidior & viro forti clarioquæ dignior. Quamquam enim in vtraquæ inest gratifi- candi liberalis voluntas,

but that the same liked Panæ- tius, the grauest of the Sto- icks. But most of all by de- fending, both gloꝝ & fauor is gotten: and so much the moze: if euer it befall that hee be defended, who doth seeme to be beset, and pres- sed with the riches of any man of power: as our selfe did both often at other times, and also being young for Sextus Roscius the Ame- rine, against the might of L. Silla, bearing sway: which o- ration as yee wot is abroad.

But now we haue set forth young mens dueties, which auail to the attaine- ment of gloꝝ: hereafter we must speak of bountifulnes, and liberality. Wherof two manner wayes there be. For liberall dealing is shewed to such as need, eyther by fra- uail or with money. This latter is the easier, specially to the possessor, but that other is the goodlyer and moze glorious, and meete for a manly and noble man. For though ther is a liberal will of pleasuring in both,

yet

yet the one out of the coffer, the other out of vertue is taken: and the lauishing which is made of a mans house goods, draweth dry the very fountaine of liberality: so liberality is by liberality wasted: & toward the more that you doe vse it, the lesse you can be able to vse it toward many.

But who so shall be bountifull and liberall of trauail, (that is) of vertue and diligence: first, the more they haue profited, the more furtherers they shall haue toward dealing liberally: afterward by customable vsing of bounteousnesse, the readier they shall bee, and (as it were) the more practised, to deserue well of many. Princely doth Philippus in a certaine Epistle, accuse Alexander his Sonne, that by lauishnesse he hath after the good will of the Macedonians.

What reason, in mischiefe quoth he hath brought you into this hope? that ye should thinck, those would

tamen altera ex arca, altera ex virtute depromitur: largitioque, que sit ex re familiari, fonte ipsum benignitatis exhaurit. Ita benignitate benignitas tollitur: quo in plures vsus sis, eò minus in multos uti possis.

At qui opera, id est virtute & industria benefici & liberales, erunt: primum quo pluribus profuerint, eo plures ad benignè faciendum adiutores habebunt: deinde consuetudine beneficentiæ paratiores erunt, & tanquam exercitatiores ad bene de multis promerendum. Præclare in Epistola quadam, Alexandrum filium Philippus accusat, quòd largitione beneuolentiam Macedonum confectur.

Quæ te (malum) inquit, ratio in istam spem induxit? ut eos tibi fideles putares fore, quos pecunia

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pecunia corrupisses. An tu id agis, vt Macedoneos non te Regem sum, sed ministrum & præbitorem putant? bene ministrum & præbitorem, quòd sordidum Regi: melius etiam, quòd largitionem corruptelam dixit esse. Fit enim deterior qui accipit, atque ad idem semper expectandum paratior. Hoc ille filio, sed præceptum putemus omnibus. Quamobrem id quidem non est dubium, quin illa benignitas, quæ constat ex opera & industri & honestior sit, & latius pateat & possit prodesse pluribus. Nonnunquam tamen est largiendum: nec hoc benignitatis genus omnino repudiandù est: & sæpe idoneis hominibus indigentibus de re familiari impertendum: sed diligenter atque moderatè.

Multi enim patrimonia effuderunt inconsultè

hæ to you faithfull, whom you had corrupted with money. Why goe ye about this, that the Macedonians may thincke you not their King, but their seruant and briber? Well hæ said, seruant and briber, because it is vile for a King. Better also he said, in that he calleth large giuing corruption. For hæ that receiueth is made the worse thereby, and the readier alwayes to looke for the like. This saide hæ to his sonne: but let vs thincke it giuen in precept to vs all. Wherefore this certainly is no doubt, but the same liberality which standeth in traualle & diligence, both is honestest, & also spreadeth farther, & is able to profit more. Oftentimes yet a man must giue largely: & this kinde of liberality is not to be utterly cast of: and we must many times giue part of our substance to meet men that haue neede, but we must doe it heedfully and measurable.

For diuers haue spoild out their liuelode, by launishing it

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it vnaduisedly. But what is foolisher then to cause that you can no longer doe the thing which y^e loue to doe? And also spoyle fol- lowers of lauishnesse. For when by giuing they begin to be neede, they be driuen to lay hand on other mens goods: so when they would be beneficiall, for cause of good will getting, they purchase not so great loue of theirs, to whom they gaue, as of them they get hatred, from whom they take.

Wherefore neither a mans substance is so to be shut vp, that liberalitie cannot open it, nor so to be vnlocked, that it lye abroad for euery body. A measure is to be kept, and let it be referred to abilitie. In any wise we must remember that which with our men is very oft in vsage, and now is come into the custome of a Prouerbe, that lauishnesse findes no bot- tome. For what stay can there be when both they who are wont to it,

largiendo. Quid autem est stultius quam quod libenter facias, curare vt id diutius facere non possis? Atque etiam sequuntur largitionem rapinae. Cum enim dando egere coeperint, alienis bonis manus afferre coguntur. Ita cum beneuolentiae comparade causa benefici esse velint: non tanta studia assequuntur eorum, quibus dederunt, quanta odia eorum, quibus ademerunt.

Quamobrem nec ita claudenda est res familiaris, vt eam benignitas aperire non possit: nec ita referenda, vt pateat omnibus. Modus adhibeatur, ijsque referatur ad facultates. Omnino meminisse debemus id, quod a nostris hominibus saepissime usurpatum, iamque in Prouerbij consuetudinem venit: largitionem fundum non habere. Etenim qui potest esse modus, cum idem & qui con-

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consueuerunt, & idem illud alij desiderent. and other doe desire one thing?

Omnino duo sunt genera largorum, quorum alteri prodigi, alteri liberales: prodigi, qui epulis, & viscerationibus, & gladiatorum muneribus, ludorum venationumque apparatu pecunias profundunt in eas res, quarum memoriam aut breuem, aut nullam omnino sint relicturi. Liberales autem, qui suis facultatibus, aut captos à prædonibus redimunt, aut æs alienum suspiciunt amicorum causa, aut in filiarum collocaione adiuuant, aut opitulantur, vel in re quærenda vel augenda. Itaque miror quid in mentem venerit Theophrasto in eo libro, quem de diuitijs scripsit: in quo multa præclarè, illud absurdè. Est enim multus in laudenda magnificentia & apparatione popularium munerum: In all there be two sorts of large giuers, of which the one be called fowle-large, the other liberall. Fowle-large we call them who with open feates, and flesh-gifts, and sense-showes, and furniture of sights, & huntings, power out their money on those things whereof they shall leaue a memory epyther short or none at all. But liberall they be named who with their riches doth ransome men taken by pray-schekers, or for their friends sakes, doe become suretie for debt, or doe ayde them in their daughters preferment of marriage, or else doe help them epyther in getting or increasing their goods. And therefore I meruaile what came in Theophrastus minde, in that booke which he wrote of riches, wherein he spake many things notably but this out of course. For he is much in praising great sumptuousnes, & furnishment of people pleasing

pleasing shewes : and hee demeth the ablenes of such charges to bee the fruite of riches . But me thinketh that fruit of liberality, wher of I haue put a few examples is both greater & more certaine.

How much more graue-
lie and truely doth Aristotle reprove vs : who are not in a wonderment at these lashings out of money, which bee done to claw the multitude : but in case they who are besieged of enemies, should bee driuen to buy a quart of water for tenne Crownes : that this at first hearing, seemeth to vs incredible, and all make a meruaile at it: but when we haue giuen good heede there to we hold with necessity: yet we make no great meruaile at these exceeding losses and endlesse charges, when specially neyther necessity is relieued, nor worshippinge increased, and that selfe same clawing of the multitude shall endure for a short and a small while : yea and that

taliumque sumptuum facultatem, fructum diuitiarum putat . Mihi autem ille fructus liberalitatis, cuius exempla pauca posui, multo & maior videtur, & certior.

Quanto Aristoteles grauius & verius nos reprehendit : qui has effusiones pecuniarum non admiremur, quæ sunt ad multitudinem delinendam : at si qui ab hostibus obsidentur si emere aquæ sextarium mina cogerentur, hoc primo auditu incredibile nobis videri, omnesque mirari, sed cum attenderint, veniam necessitati dare : in his immanibus iacturis, infinitisque sumptibus nihil nos magnopere mirari cum præsertim neque necessitati subueniatur, neque dignitas augeatur : ipsaque illa delinitio multitudinis ad breue, exiguumque duratura sit tempus : eaque

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à leuiffimo quoque animo, in quo tamen ipfo vnà cum fœtate memoria quoque moriatur voluptatis. Bene etiam colligitur, hæc pueris, & mulierculis, & feruis, & feruorū fimilimis liberis eſſe grata, graui verò homini, & ea, quæ ſunt, iudicio certo ponderanti probari poſſe nullo modo.

Quamquam intelligo in noſtra ciuitate inueteraſſe iam bonis temporibus, vt ſplendor ædilitatum, ab optimis viris poſtuletur. Itaque Publius Craſſus cum cognomine diues, tum etiam copijs, functus eſt ædilitio maximo munere. Et paulò poſt L. Craſſus cum omnium hominum moderatiſſimo Quinto Mucio magnificentiſſima ædilitate functus eſt: Deinde, Caius Claudius Appij filius: multi poſt vt Lucullus, Hortenſius Syllanus. Omnes autem

with euery of the lighteſt mindes, and yet in the very ſame, euen together with the fulnes, the remembrance alſo of the pleaſure dyeth. It is alſo well gathered, that theſe ſhowes bee well lyked of childzen and women, and ſlaues, and free men moſt like vnto ſlaues, but that no waies they can be allowed of a ſage man, & one that with a grounded iudgement wepeth thoſe things that be done.

Neuertheleſſe, I perceiue in our cittie, it hath growen into uſe, now in this good world, that the gay ſhewes of the Ediles office is looked for, euen of the beſt men. Therefore Publius Craſſus both by ſurname rich, and alſo in ſubſtance, kept his Edile Office meruailous ſumptuouſly: and ſone after Lucius Craſſus, with Quintus Mucius the greateſt meane-keeper of all men, kept the time of their Edile Office moſt royally. Then came Caius Claudius, Apius ſon: afterward ſucceded many, as Licullus, Hortenſius, Sillanus.

But

But Pub. Lentulus, when he was Consull, passed all his predecessors, Scaurus following him. But our Pompeius shewes in his second Consulship, wer the costlier of all, in euery deale wherof you see what liketh me. We must yet auoide suspicion of covetousnesse. For the refusall of the Edileship brought to Mamercus, a very rich man, a fall from the Consulship. Wherefore the thing is to be done both if it be called for of the people, and good men though they doe not require it doe yet allow it, so it be according to ones ability, as we our selfe haue done. And also if any greter & more profitable thing is won at any time, by people pleasing largesse, as of late a great honoꝝ to Orestes were the dinings in open wayes, in name of his tenths. No noꝝ it was not counted a reproach to Marcus Seius: that in a dearth of coꝝne, he gaue to the people for foure pence a bushell. For from a great and a long festered

P. Lentulus me consule vicit superiores. Hunc est Scaurus imitatus. Magnificentissima vero nostri Pompeij munera secundo Consulatu: in quibus omnibus, quid mihi placeat, vides. Vitanda tamen est suspicio auaritiæ. Nam Mamercus homini ditissimo prætermisio ædilitatis consulatus repulsam attulit. Quare & si postulare à populo, bonis viris si non desiderantibus, attamen approbantibus, faciendum est, modò pro facultatibus, nos ipsi vt fecimus. Et si quando aliqua res maior, aut vtilior populari largitione acquiritur: vt Orestis nuper prandia in fœditis, decimæ nomine, magno honori fuerunt. Nec Marco quidem Seio vitio datum est, quod in charitate annonæ asse modium populo dedit. Magna enim se & inueterata inuidia, ne curpia
O iactura,

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iaſtura, quando erat
Ædilis nec maxima li-
berauit.

Sed honori ſummo
nuper noſtro Miloni fu-
it, quòd gladiatoribus
emptis Reipublicę cau-
ſa, quę ſalute noſtra
continebatur, omnes
Publij Clodij conatus,
furoresque compreſſit.
Cauſa igitur largitionis
eſt, ſi aut neceſſe eſt, aut,
vtile. In his autem ipliſ,
mediocritatis regula op-
tima eſt. Lucius qui-
dem Philippus, Quinti
filius, magno vir in-
genio, inprimisque cla-
rus gloriari ſolebat: ſe
ſine vlllo munere adep-
tum eſſe omnia, quę
haberentur ampliffima.
Dicebat idem Cotta
Curia. Nobis quoque
licet in hoc quodam
modo gloriari. Nam pro
amplitudine honorum,
quos cunctis ſuffragijs
adepti ſumus, noſtro
quidem anno (quod
contigit, eorum nemini,
quos modo nominaui)

enuie, hee deliuered himſelfe,
neither by a diſhoneſt loſſe,
ſceing, hee was Ædile, nor
yet very great.

But alate it was paſſing
high honour to our Milo, be-
cauſe for the common weals
ſake, which in our ſafety
conſiſteth, with hyzed fence
men hee ſuppreſſed all Pub-
lius Clodius attempts and
rages. There is therefore
a cauſe of largeneſſe, if ey-
ther it be neceſſary or pro-
fitable. And yet in the ſame,
the rule of meane keeping is
beſt. Certes Lucius Philip-
pus, Quintus Sonne, a man
of grear wit and moſt fa-
mous, was wont to glory
that hee without any gift-
giuing, had attayned all
manner Dignities, which
were counted moſt honou-
rable. The like ſaid Cotta
Curia. Wee alſo in this way
glory after a certaine ſort.
For doubtleſſe ſmall was
the coſt of our Ædileſhip:
in reſpect of ſuch large ho-
nours, as by all mens voi-
ces, wee attayned, euen in
our yeere, which hath befallen

to

to none of them whom I
named ere while.

And also these expences be
better, which are bestowed
vpon citie wals, shipdocks,
hanens, conduits, & all that
appertayne to the vse of the
Common weale. Although
that is more pleasant, which
presently is giuen (as it
were) in hand, yet for time
to come these bee more ac-
ceptable. Sith Courtes,
Galleries, walles, and new
Churches, the more reue-
rently I finde fault with,
for Pompeius sake: but the
best learned men doe not al-
low them: as both this
same Panætius, whom I
have followed much in these
bookes, and yet not transla-
ted him: and also Phalerius
Demetrius, who dispraysed
Pericles the prince of Græce,
because he laid so much money
vpon those goodly Porches.
But of this kind vniuersal-
ly, it is diligently disputed
in those Bookes which I
wrote of a Common weale.

The whole manner then
of such largenesse generally

sanè exiguis, sumptus
Ædilitatis fuit.

Atque etiam illæ
impensæ meliores sunt:
Muri, Naualia, Portus,
aquarum ductus, omni-
aq; quæ ad vsum Reip.
pertinent. Quamquam
quod præsens tanquam
in manu datur iucundi-
us est: tamen hæc in po-
sterum gratiora. Thea-
tra, porticus, noua tem-
pla, verecundius repre-
hendo propter Pompei-
um: sed doctissimi non
probant, vt & hic ipse
Panætius, quem multum
in his libris sequutus
sum, non interpretatus:
& Phalerius Demetrius
qui Periclem principem
Græciæ vituperat, quod
tantam pecuniam in
præclara illa Propylæa
coniecirit. Sed de hoc
genere toto in his li-
bris, quos de Republica
scripsi, diligentur est dis-
putatum.

Tota igitur ratio ta-
lium largitionum generis

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vitiosa est, temporibus necessaria: & tunc ipsa & ad facultates accommodanda, & mediocritate moderanda est. In illo autem altero genere largiendi, quod a liberalitate profisciscitur, non vno modo in disparibus causis affici esse debemus. Alia causa est eius, qui calamitate premitur, & eius, qui res meliores quaerit, nullis suis rebus aduersis. Propentior benignitas esse debet in calamitosos, nisi forte erunt digni calamitate. In istis tamen, qui se adiuuari volunt, non solum ut ne affligantur, sed etiam, ut altiorum gradum ascendunt, restricti omnino nullo modo esse debemus: sed in diligendis idoneis iudicium, & diligentiam adhibere. Nam praclare Ennius.

Benefacta male locata.
Malefacta arbitror.

is faulty, yet for certaine times it is necessary: & then the same is both to be referred to ones abilitie, & to be tempered with a meankesping. But in that other kinde of largetiuing, which proceeds of liberalitie, not all alike in causes vnliked, we ought to be disposed. Otherwise is his case, who is pressed with misery: & otherwise his who seeketh more wealth hauing no aduersity. Toward the miserable, liberality ought to be forward: except peraduenture they shall be worthe of misery. We ought yet in no wise to be altogether pinching toward those: who would haue themselves to be holpen, not that they may feele no affliction, but that they may rise to higher degree: neuerthelesse, in choosing out meet men, we ought to vse a discretion, & a diligence. For notably saith Ennius.

Good deeds, in case they be euill placed,
Euill deeds I count,
and cleane disgraced.

But

But what so is giuen to a good man, and a thankfull : therby both they comes fruit from him, & also from other. For so rashnesse be auoided, liberalitie is very pleasurefull : and so much the more earnestly most men praise it, because euery great mans goodnesse is the common refuge of all. Our indreanour therefore is to be done, that we reward them with verie many benefits, to whose children and offspring a memorie may be left : so that of good right they cannot be vnthankfull. For all men doe hate the forgetter of a good turne, and doe deeme that wrong euen to themselves to be done, in fraying away ones liberalitie : and they take him, who causeth it to be a common enemie of the poore.

And this liberalitie also is profitable to the common weale to haue prisoners redeemed out of captiuitie, and the poore enriched. Which was set written at large in the Oracion of Crassus, that

Quod autem tributum est bono viro & grato, in eo cum ex ipso fructus est, tum etiam ex cæteris. Temeritate enim remota, gratissima est liberalitas, eoq; eam studiosius plerique laudant, quod summi cuiusque bonitas commune perfrugium est omnium. Danda igitur opera est, vt hos beneficijs quam plurimis afficiamus, quorum memoria liberis, posterisque prodatur, vt his ingratissimum esse non liceat. Omnes enim immemorem beneficij oderunt, eamque iniuriam in deterrenda liberalitate sibi etiam fieri : eumque qui faciat, communem hostem tenuiorum putant.

Atq; hæc benignitas etiam Reip. utilis est redimi e seruitute captos, locupletari tenuiores : quod quidem vulgo solitum fieri ab ordine nostro in oratione Crassii

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Scriptum copiose videmus. Hanc ergo consuetudinem benignitatis largitioni munerum longe antepono. Hæc est grauium hominum atq; magnorum: illa quasi assentatorij populi, multitudini leuitatem voluptate quasi titillantium. Conuenit autem tum in dando munificum esse, tum in exigendo non acerbum. In omni re contrahenda vendendo, emendo, conducendo, locando, in vicinitatibus & confinijs æquum & facilem, multa multis de iure suo cedentem: à litibus verò quantum liceat (& nescio an paulò plus etiam quàm liceat) abhorrentem.

Est enim non modo liberale, paulum nonnunquam de suo iure decedere, sed interdum etiam fructuosum. Habenda autem est ratio rei familiaris, quam quidem delabi sinere, flagitiosum est: sed ita, vt

it was wont to be done abroad by vs of the Equestre all order. I place therefore this vlsage of liberality before lauishnesse in thewes. This is for graue men and great, that other (as it were) for flatterers of the people, tickeling (as ye would say) the lightnesse of the multitude with pleasure: What is meet for a man both to be liberall in giuing, and nothing eager in requiring: and also in euery matter of barganing, selling, buying, hyring, letting, nigh diuelings, and party bounds, to be iust and gentle, and to remit much of his due to manny: but from trauers in law to refraine as much as he may: & I wot not, whether somewhat more also then he may.

For it is not onely a liberal point, to forgo somewhat of his right otherwhile, but sometime also profitable. But regard of a mannes wealth must be had, which verely to suffer to decay, is a fowle fault, but so, as suspition of

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inggardlinesse and Couetousnesse bee auoyded. For no doubt it is the greatest fruit of money, that a man bee able to vse liberalitie, not making spoyle of his liuelode.

Well also is hospitalitie praised of Theophrastus. For it is (as me thincketh) very seemly noble mens houses to bee open for noble guests. And that also is an honour to the state, that outlandish men in our Cittie doe not want this kinde of liberalitie. It is also exceeding profitable to them who honestly desire to be able to do much, to preuaile in power, and fauour by their guests, among forraine Nations. Theophrastus indeed writeth, that Cimon of Athens also was a good Housekeeper, for the Laciadans of his ward. Because hee took order so, and commanded his Baylifes, all things should bee offered, to whatsoever Laciadam tourned into his Mannour.

illiberalitatis, avaritiæque absit suspicio. Possent enim liberalitate uti, non spoliantem se patrimonio, is nimirum est pecuniæ fructus maximus.

Rectè etiam à Theophrasto, est laudata hospitalitas. Est enim (ut mihi quidem videtur) valdè decorum, patère domos hominum illustrium illustribus hospitibus. Idq; etiam Reip. est ornamento homines externos hoc liberalitatis genere in vrbe nostra non egere. Est etiam vehementer vtile ijs, qui honestè multū posse volunt, per hospites apud externos populos valere opibus & gratia. Theophrastus scribit quidem Cimonem Athenis etiam in suos curiales Laciadas hospitem fuisse. Ita enim instituisse, & villicis imperauisse, ut omnia præberentur, quicumque Laciades in villam suam diuertisset.

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Quæ autem opera, non largitione, beneficia dantur: hæc tum in vniuersam Remp. tum in singulos ciues conferuntur. Nam in iure cauere, consilio iuuare atq; hoc scientiæ genere prodesse quam plurimis vehemētor, & ad opes augendas pertinet, & ad gratiam. Itaque cum multa præclara maiorum, tū quod optimè constituti iuris ciuilis summo semper in honore fuit cognitio, atque interpretatio: quam quidem ante hanc consultationem temporum in possessione sua principes retinuerūt. Nunc vt honores, vt omnes dignitatis gradus, sic huius scientiæ splendor deletus est.

Idque eò indignius, quod eo tempore hoc conuigit, cum is esset, qui omnes superiores, quibus honore par esset, scientia facillè viceffet. Hæc igitur opera grata multis, & ad beneficijs

But these benefits, which be bestowed by trauaile, and not by large gifts, are employed both vpon the whole common weale, and vpon euery Citizen a part. For in law to giue aduise, with counsaile to helpe and to further very many with this kinde of science, it auileth very much, both to the encrease of riches, and also to fauour. Therefore as there were many worthy things of our auncestours so alwayes in great priue was the knowledge, and the opening of the right well ordained ciuil law: which truly before this turmoyle of times, rulers receiued in the due estimation: now as honour, and as euery degree of worship, so the glory of this science is blotted out.

And that is so much the shamefuller, because this hapned at that time: when he reigned, who in knowledge clerely exceeded all his foregoers, to whom he had been pēre in honour. This trauaile thertofore is pleasurefull
to

to many, and very fit, to
 binde men with benefites.
 And the grauer and grace-
 fuller and trimmer feate of
 Oratory is nere cosin to
 this Science. For what is
 more praise worthy & better
 than eloquence? either for
 the admiration of the hear-
 ers, or the hope of the need-
 ers, or for their cause, who
 haue bene defended. There-
 fore to this likewise a prehe-
 minence in all honour was
 given of our elders. The be-
 nefits then, and the pleading
 of a fine spoken man, & glad-
 ly taking paines, and (as it
 is in his Country fashion)
 both not vnwillingly, & also
 freely defending many mens
 causes, be far spread abroad.
 The matter hath put me in
 minde, that in this place also
 I should bewaile the discon-
 tinuance, I will not say the
 destruction of eloquence: but
 that I feared, least touching
 my selfe somewhat I should
 seeme to complaine. Not-
 withstanding we see what
 notable Orators haue bene
 put out of the way: & how in

obstringendos homines
 accommodata. Atque
 huic arti finitima est
 dicendi grauior facultas,
 & gratior & ornatior.
 Quid enim eloquentia
 laudabilius, & presta-
 bilius, vel admiratione
 audientium, vel spe in-
 digentium, vel eorum,
 qui defensi sunt gratia?
 ergo huic quoque à ma-
 ioribus nostris est in
 tota dignitate principa-
 tus datus. Diserti igitur
 hominis, & facile labo-
 rantis, quodque in pa-
 trijs est moribus, mul-
 torum causas & non
 grauati & gratuito de-
 fendentis, beneficia &
 patrocinia late patent.
 Admonebit me res, vt
 hoc quoque loco inter-
 missionem eloquentie
 nec dicam interitum de-
 plorarem: nisi vereretur
 ne de me ipso aliquid
 videretur queri. Sed tamen
 videmus quibus extin-
 ctis oratoribus quam in
 paucis spes, quanto in
 paucioribus facultas,
 quam

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quàm in multis sit audacia.

Cùm autem omnes non possint, ne multi quidem, aut iuris periti esse aut deserti: licet tamen opera prodesse multis, beneficia petentem, commendantem iudicibus, & magistratibus: vigilantem pro re alterius, eosque ipsos, qui aut consulunt aut defendunt rogantem, quod qui faciunt plurimum gratiæ consequantur, latissimèq; eorum manet industria.

Iam illud non sunt admonendi (est enim in promptu) ut animaduertant, cùm iniurare alios velint, ne quos offendant. Sæpe enim, aut eos lædunt, quos non debent, aut eos quos non expedit. Si imprudentes, negligentia est: si scientes, temeritatis. Utendum enim est excusatione aduersus eos, quos inuitus offendas quacunque possis, quare

a few a hope, in fewer a skill, in many a boldnesse there remaines.

But seeing neyther all, nor yet many can bee eyther cunning in the Law, or well spoken men: one yet with trauaile may further many, that sheweth for their comodities, that speaketh in their fauour to the Judges & magistrates, that sleepeth not out anothers cause, that intreteth those same who either be counsellors or defenders: which who so do, they attain very much fauour and their painefulnes floweth abrod.

Now they are not to bee admonished of this (for it is well knowne) that they take heede: when they will helpe other, that they offend none: for oftentimes eyther they hurt them, whom they should not, or them whom it is not behoueable. If vnwarily they do it, of negligence it is: if wittingly, of rashnesse it comes. You must vse also to them whom you offend against your will, such an excuse as ye may, for what cause

cause the same that you haue done was necessary, and you could not doe otherwise, and that which was done offensively, shall bee recompensed with other trauailes, and friendly doings.

But whereas in helping men either their conditions are wont to be considered, or their estate: indeed it is sone said, & so they doe commonly speak: that in bestowing their benefites they regard mens manners and their estate. An honest saying it is, but who is there at all, which in bestowing his trauaile, doth not prefer the fauour of a rich man & one of power, before the poore and a right good mans cause? For from whō we thincke a speedier, & redier recompence wil come, to handwards commonly our goodwill is the more inclined. But wee must marke more diligently what is the nature of things. For verely though the poore cannot render due thanks, yet if he be a good man, owe them forsooth he may. This surely was in

id, quod feceris necesse fuerit, nec aliter facere potueris, certisque operibus & officijs erit, quod violatum est, compensandum.

Sed cum in hominibus iuuandis aut mores spectari aut fortuna soleat, dictu quidem est procliue: itaque vulgo loquuntur, sese in beneficijs collocandis mores hominum non fortunam sequi. Honesta oratio est. Sed quis est tandem, qui inopis & optimi viri causæ, non anteponat in opera danda gratiam fortunati & potentis: A quo enim expeditior & celerior remuneratio, fore videtur, in eum ferè est voluntas nostra propensior. Sed animaduertendum est diligentius, quæ natura rerum sit. Nimirum enim inops ille, si bonus est vir, etiam si referre gratiam non potest, habere certè potest. Commodè autem quicunque

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quicumque dixit, pecuniam qui habeat, non reddidisse: & qui reddiderit non habere: gratiam autem & qui retulerit habere, & qui habeat retulisse.

At qui se locupletes, honoratos, & beatos putant, hi ne obligari quidem beneficio volunt: quin etiam beneficium se dedisse arbitrantur, cum ipsi quamuis aliquid magnum acciperint, atque etiam à se aut postulati aut expectari, aliquid suspicantur. Patrocinio verò se usos, aut clientes appellari, mortis instar putant.

At verò ille tenuis, cum quicquid factum sit, sese spectatum, non fortunam putat: non modo illi, qui est meritis, sed etiam illis à quibus expectat (eget enim multis) gratum se videri studet. Neque verò verbis auget suum munus siquo fortè fungitur:

place, whosoever said it, money who haueth in hand, hath not paid, and who hath paid haueth in minde, but thanks both who hath paid, haueth in minde, & who haueth in minde hath rendred.

But these, who count themselves rich, honourable, and wealsfull, will not be once bound to a man for a pleasure: but they thinke rather that they haue done a pleasure: where, yea, although they haue taken some great thing, they suspect somewhat likewise of them, eyther to be craved or looked for, but they rechen it euen like a death, that they should seeme to haue vsed ones furtherance, or should be called hangers on. But the other poore man thinking himselfe regarded, & not his state, where any thing is done vnto him: desires that hee may be thought thankfull not only to him, who haue deserved it, but also to the (for he stands in neede of many) of whom hee lookes for ought. Nor yet with words he sets out his seruice, if perhaps he doe

doe any but also abateth it.

And this same point is to be considered, that if you defend a rich & a wealthy man, the thanke remaines to him alone, or perchance in his childzen: but if you doe it for him that is poore, and yet honest & discreet, all the meane degree being not dishonest, (which is a great multitude among the people) doe see succour prepared for them. Wherefore I thinke a benefit better to be bestowed vpon good men, then vpon rich. Yet alwayes we must giue our endeauour, that we may content all manner of men. But if the matter shall come into comparison, verily Themistocles is to be taken for an Authoꝝ: who, when he was asked counsaile, whether one should bestow his daughter vpon a good poore man, or a rich man not so honest, I (quoth he) doe rather like a man who lacketh money, then money which wanteth a man.

But manners be corrupted and marred, by ouer

sed etiam extenuat.

Videndumque illud est, quod si opulentum, fortunatumque, defendaris, in vno illo, aut forte in liberis, eius manet gratia. Sin autem inopem, probum tamen & modestum, omnes non improbi humiles, (quæ magna in populo multitudo est) præsidium sibi paratum vident.

Quamobrem melius apud bonos, quam apud fortunatos, beneficium collocari puto. Danda tamen omnino opera est vt omni generi satisfacere possimus. Sed si res in contentionem veniet, nimirum Themistocles est auctor adhibendus: qui cum consuleretur vtrum bono viro pauperi, aut minus probato diuiti filiam collocaret, ego verò inquit, malo virum qui pecunia egeat, quàm pecuniam, quæ viro.

Sed corrupti mores, deprauatiq; sunt admiratione

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miratione diuitiarum, quarum magnitudo quid ad vnumquemq̃, noltrū pertinet? Illum fortassē adiuuet, qui habet, ne id quidem semper. Sed fac iuuare, potentior sane sit, honestior verò quomodo? Quod si etiam bonus erit vir: ne impediant diuitiæ, quominus iuuetur modò ne adiuuent, sitq; omne iudicium non quā locuples, sed quales quisque sit. Extremū autem preceptum in beneficijs operaque danda est, ne quid contra æquitatem contendas, ne quid pro iniuria.

Fundamentum enim perpetuæ commendationis & famæ est iustitia, sine qua nihil potest esse laudabile. Sed quoniam de eo genere beneficiorum dictum est, quæ ad singulos spectant, deinceps de ijs, quæ ad vniuersos, quæque ad Remp. pertinent disputandum est. Eorum autē

regarding riches, what doth the great store thereof pertaine to euery one of vs: peradventure it helpeth him that hath it, & that was not alwaies. But grant it helpz, indeed he may be the mightier but which way may he be the honestest man? And if the rich man be also a good man, let not his riches hinder him, and cause him to finde the lesse help, so they further him not: and let a man's whole iudgement be, not how rich, but what manner man each one is. And in bestowing benefits & trauaile the last lesson is that you labour nothing against equity, and nothing with wrong.

For iustice is the ground of a continual commendation & fame, without which nothing can be praisable. But seeing we haue spoken of such kinde of benefits as belong to ech seuerall man hereafter we must treat of those which pertaine to all men, and to a common weale. And some of those same be of such sort, that they pertain to the whole

whole number of Citizens, some that they concerne euery free man, which be also more fauourable. A diligence doubtlesse there must be giuen; if it may, that it be prouided for both, and no lesse also for euery one, but so as the thing either may further or at least not hinder the common weale. C. Gracchus corndole was great, he wasted therfore the treasury. M. Octavius made such a one as was measurable, and as the common weal might beare, and necessarie for the people, and therefore wealful both to the citizens, and also to the state.

But specially it must be scene to of him who shall gouerne the Common weale, that euery man keepe his owne: and that there be no impaying of priuate mens goods for common charges. For Philippus did daungerously in his Tribuneship, when he made the law concerning lands, which yet hee sone suffered to be repealed, and therein meruailously hee

ipsorum partim eiusmodi sunt, vt ad vniuersos Ciues pertineant, partim singulos vt attingant, quæ sunt etiam gratiora. Danda est opera omnino si possit vt vtriusq; nec minus vt etiam singulis consulatur: sed ita vt ea res aut proffit, aut certè ne obstat Reipublicæ. C. Gracchi frumentaria magna largitio fuit, exhauriebat igitur ærarium. Modica Marci Octauij & Reipublicæ tolerabilis, & plebi necessaria, ergo & ciuibus & Reipublicæ salutaris.

Inprimis autem videndum erit ei, qui rempublicam administrabit: vt suum quisque teneat: neque de bonis priuatorum publicè diminutio fiat. Pernitiosè enim Phillippus in Tribunatu, cum legem agrariam ferret, quam tamen antiquari facillè passus est, & in eo vehementer se moderatum

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moderatum præbuit, sed cum in agendo multa populariter, cum illud malè dixit: non esse in ciuitate duo millia hominum, qui rem haberent.

Capitalis oratio est ad æquationem bonorum pertinens. Quæ peste quæ potest esse maior? Hanc enim ob causam maximè, ut sua tuerentur, Respublicæ ciuitatesque constitutæ sunt. Nam etsi duce natura congregabantur homines, tamen spe custodiæ rerum suarum, urbium præsidia quærebant.

Danda etiam opera est, ne (quod apud maiores nostros sæpe fiebat) propter ærarij tenuitatem, assiduitatemque bellorum tributum sit conferendum. Idque ne eueniat, multo antè erit prouidendum. Sin qua necessitas huius muneris alicui Reipub. obuenerit,

shewed himselfe a sober man, but as hee did euill in setting forth many thinges people pleasingly, so this hee spake euill, that there were not in the Citie two thousand men who had any substance.

It is surely a mischiuous saying, and sounding to the making of goods common, & what greater pestilence can there be then that. For common wealths, and countries are ordained to this end specially, that men may keepe their owne. For although men assemble together, nature beeing guide, yet they sought the defences of Cities, for hope of safe keeping of their goods.

There must also good heede be giuen, that (as often it happened among our ancestors) for the poynesse of the treasury, and continuance of the wars, a tribute be needefull to be payde. And long before it must be prouided, that it may not fall. But if any necessitie of this dutie shall happen vpon any Common weale (For

I had rather prophesye to some others, then to ours, & yet I reason not of ours, but of euery common weale) there must be giuen a diligence, that all men may vnderstand, that if they will be in safety they must obey necessitie.

And mozeouer, all such as shall rule the Common weale, ought to provide that there be store of these things which are necessary. Of which it is not needfull to dispute, what a provision, is wont and ought to be made, for that matter is manifest, this place was no more but to be touched. But the chief point is in all administration of matters, and common weale offices, that euen the least suspicion of conetoulnesse be auoyded, would god quoth C. Pontius the Samnite, fortune had reserved me to those dayes, and I had then bene borne, when the Romaines began once to take bribes. I would not suffer them any longer to rule. He needed not twis

(malo enim alteri quam nostræ ominari, neque tamen de nostra, sed de omni Republica disputo) danda erit opera, vt omnes intelligant si salui esse velint; necessitati esse parendum.

Atque etiam omnes qui Rempublicam gubernabunt, consulere debebunt, vt earum rerum copia sit, quæ sunt necessariae. Quarum qualis comparatio fieri soleat & debeat, non est necesse disputare, est enim in promptu: tantum locus attingendus fuit.

Caput autem est in omni procuracione negotij & muneris publici, vt auaritiæ pellatur etiam minima insidio. Vinam (inquit Caius Pontius Samnais, ad illa tempora Fortuna me seruasset, & tunc essem natus, quando Romani dona accipere coepissent; non essem passus eos diutius imperare.

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Ne illi quidem multa secula expectanda fuerunt, modò enim hoc malum, in hanc Rem publicam inuasit. Itaq; facile patior, tunc potius Pontium fuisse, si quidem in illo tantum fuit roboris.

Nondum centum & decem anni sunt, cum de pecunijs repetundis à Lucio Pisonè lata est lex, nulla antea cum fuisset. At verò postea tot leges & proximæ quæque duriores, tot rei, tot damnati, tantum Italicum bellum propter iudiciorum metum excitatum, tanta sublati legibus, & Iudicijs expilatio, direptioque fociorum, vt imbecillitate aliorum, non nostra virtute valeamus. Laudat Africanum Panætius quòd fuerit abstinens, quidni laudet? sed in illo alia maiora. Lausenim abstinentiæ, non hominis est solum, sed etiam temporum illorù.

to haue tarried for manye worlds. For of late this mischiefe entred into this common weale. Therefore I am well content that Pontus rather liued then, if there was in him so much manhood in dede.

Not yet a hundred and ten yeeres be past, since the law of Pillage was made, by Lucius Piso, wheras none before had beene. But afterward followed so many lawes, and euery of the latter, the harder, so many accused, so many condemned, so great an Italian warre, raised for feare of iudgements: when lawes & iudgements were taken away, so great pouling and robbing of large friends, that by the weaknesse of other, not by our prowesse we doe preuail. Panætius prayseth Africanus, because he was no taker. Why should he not be praysed? But other greater things ther wer in him. For the prayse of restraining from taking is not onely the mans, but also that times.

Paulus

Paulus got all the Macedonians treasure, which was exceeding great, hee brought so much riches into the treasure, that one Captaines bootie made an end of Tributes: but hee bore nothing into his house, saue an euerlasting memory of his name. Africanus followed his father, no whit the more enriched; by Carthage razed. What of Lucius Mummus, who was his office fellow in the Censorship? Was hee any deale the richer, when to the ground hee had ouerthrowen the most rich Citie? Hee was willing rather to beautifie Italy then his owne house, although Italy being beautified his very house seemeth to mee the beautifuller. No vice then is fowler (that whether my talke may returne, from whence it is strayed) then couetousnesse, specially in Princes and Common weale rulers. For it is not onely dishonest, but wicked also & shamefull, to make a gaine of the common weale.

Omni Macedonium gaza, quæ fuit maxima, potitus est Paulus, tantum in ararium pecunie iniecit, vt vnus imperatoris præda, finem attulerit tributorum. At hic nihil in domum suam intulit; præter memoriam nominis sempiternam. Imitatus patrem Africanus nihilo locupletior Carthagine euerfa. Quid? qui eius collega in censura fuit. Lucius Mummus? nunquid copiosior; cum copiosissimam urbem funditus sustulisset? Italiam ornare, quam domum suam maluit: quamquam Italia ornata, domus ipsa videtur mihi ornatio-
rior. Nullum igitur vitium est terrius (vt eò, vnde gressa est; referat se oratio) quam auaritia, præsertim in principibus, & Republicam gubernantibus. Habere enim quæstus Republicæ non modo turpe est, sed sceleratam etiam & nefarium.

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nefarium. Itaque quod Apollo Pythius oraculū edidit, Spartam nullare alia, nisi auaritia esse perituram, id videtur non solum Lacedemonijs, sed etiam omnibus ppulentiſ populis prædixiſſe. Nulla autem re conciliare facilius beneuolentiā multitudinis poſſunt ij, qui Reipublicæ præſunt, quā abſtinentia & continentia.

Qui verò populus volunt eſſe, ob eamque cauſam aut agrariam rem tentant, vt poſſeſſores ſuis ſedibus pellantur: aut pecunias creditas debitoribus condonandas putant, ij labefactant fundamenta Reipublicæ, concordiam primū, quæ eſſe non poteſt, cum alijs adimuntur, alijs condonantur pecuniæ, deinde æquitatem, quæ tollitur omnis, ſi habere ſuum, cuique non licet.

Therefore whertas Apollo Pythius, gaue out by Oracle, that Sparta no other way but by couetouſneſſe ſhould come to deſtruction, the ſame he ſeemeth to haue prophesied, not onely to the Lacedemonians, but alſo to all wealthy peoples. For they who rule ouer the Common weale, may by no meanes ſooner win the good will of the multitude, than by a refraining hand and ſtaidneſſe.

But who ſo will bee people pleaſers, and for that cauſe doe either attempt the matters of lands, that the owners may be diuened from their holds, or elſe do thinke meeete that loned mony be remitted to the debtors, they ſhake the foundations of the Common weale: firſt they take away concord, which cannot bee when money is pulled from ſome, and forgiuen to other ſome: next, they baniſh equitie, which is wholly rooted out, if it bee not lawfull for every man to haue his owne.

For

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For that is the proper end
(as I said before, of a Citty
and Borough, that there be
a free & no troublesome kee-
ping of euery mans own good.
And in this mischiefe of the
common wealth they do not
attaine such fauour as they
suppose they doe. For hee
from whom goods be taken,
is become an enemy: he also
to whō they are giuen makes
as though he is not willing
to take them, and most of al,
he hydes his ioy in lōned
money for giuen, least he may
seeme to haue bene vnable
to pay it.

But surely hee that recei-
ueth the wrong, both beareth
his griefe in remembraunce,
and sheweth it in sight, nei-
ther if they be moze to whō
wickedly it hath been giuen,
then they from whom vn-
iustly it hath bene taken, it
followeth that therfore they
be moze in power. For these
things be iudged not by
number but by weight. And
what equity is in this, that
hee should haue land who
hath had none, and he should

Id enim est propri-
um (vt suprà dixi) Ci-
uitatis atque Urbis, vt
sit libera, & non solita
suar rei cuiusque custo-
dia. Atque in hac per-
niciā Reipublicæ, nec
illam quidem consequū-
tur, quam putant gra-
tiam. Nam cui res erep-
ta est, est inimicus, cui
data, est etiam, dissimu-
lat se accipere voluisse,
& maxime in pecunijs
creditis, occultat suum
gaudium, ne videat-
ur non fuisse soluen-
do.

At verò ille, qui ac-
cipit iniuriam, & memi-
nit, & præ se fert dolo-
rem suum, nec si plures
sunt ij, quibus improbe
datum est, quam illi,
quibus iniuste ademp-
tum est, idcirco plus
valent. Non enim
numero hæc iudicantur,
sed pondere. Quam au-
tem habet æquitatem,
vt agrum multis annis,
aut etiam sæculis antè
possessum, qui nullum
habuit,

De Officijs.

habuit, habeat : qui autem habuit amittat ? At propter hoc iniuriæ genus Lacedemonij Lyfandrum Ephorum expulerunt : Agin regem (quod nunquam antea apud eos acciderat) necauerunt. Ex quo tempore tantæ discordiæ sequutæ sunt, yt Tyranni existerent, & optimates exterminarentur, & præclarissimè constituta Respublica dilabere-tur.

Nec verò solùm ipsa cecidit, sed etiam reliquam Græciam euertit contagionibus, malorum, quæ à Lacedemonijs profecta, manarunt latius. Quid ? nostros Gracchos Tiberij Gracchi summi viri filius, Africanus nepotes, nonnè agrariæ contentiones perdiderunt ?

At verò Aratus Sicyonius iure laudatur : qui cùm eius ciuitas. L. annos à tyrannisteneretur, profectus Argis Sicyonem,

for goe land who hath had it many yeers, yea oꝝ hundreds of yeeres, befoze continued in possession. But for this kinde of iniury, the Lacedemonians draue out Lyfander, the Ephorian, and they slew Agis the king, which had neuer happened among them befoze, whereof followed at that time so great discentions, that there arose tyrants, and their noble men were exiled, and a very well oꝝdered common weale went to ruine.

Not trulpy their state onely had a fall, but also it ouerthrew the rest of Græce with the infections of mischiefes, which springing from the Lacedemonians, did flow farther abroad ? What of our Gracchus, Tiberius Gracchus, the noble mans sons, Africanus childꝝens childꝝen: did not landstrives bring them to destruction ?

But indede Aratus the Sicionian is rightfully commended? Who, when his citie was fifty yeares withholden by Tyrants : being departed

departed from Argos to Sicion, with a private stoine entre, got possession of the city, and when vpon a sodaine, he had ouerthrowen the tirant Nicoles: he restored home againe fixe hundred bannisht men, who had ben the greatest possessioners of the citie: and by his comming set the Common weale at libertie. But when he perceiued the great inconuenience in the goods & possessions, because both he thought it very unreasonable, that they should lack whom he himselfe had restored, what goods other had possessed, & againe to remoue little peres possession, he iudged it not very indifferent, because that in so long a space, much by inheritance, much by sale, much by dower was holden without wrong, he thought it was necessary, neither the goods to be taken from them, nor those to be unsatisfied, whose that had ben before.

When he had then determined, that he should neede money, for the ordering of the

clandestino introitu urbem est potitus, cumq; tyrannum Nicolem improuiso oppressisset, sexcentos exules, qui fuerant eius ciuitatis locupletissimi restituit, Remque publicam, aduentu suo liberauit. Sed cum magnam animaduerteret in bonis & possessionibus difficultatem quod & eos, quos ipse restituerat, quorum bona alij possiderant, egere iniquissimum arbitrabatur, & quinquaginta annorum possessiones mouere, non nimis equum putabat, propterea, quod tam longo spacio multa hereditatibus, multa emptionibus, multa dotibus tenebantur sine iniuria: iudicauit, neque illis adimi, neque his non satisfieri, quorum illa fuerant, oportere.

Cum igitur statuisset opus esse ad eam rem constituendam pecunia, Alexandria se proficisci
P 4 velle

De Officijs.

velle dixit, remque integram ad reditum suum iussit esse. Ilque celeriter ad Ptolemeum suum hospitem venit, qui tum regnabat alter post Alexandriam conditam, cui cum exposuisset, patriam se liberare velle, causamque docuisset: a rege opulento vir summus facile impetrauit, ut grandi pecunia adiungetur.

Quam cum Sicionem attulisset, adhibuit sibi in consilium quindecim principes: cum quibus causas cognouit, & eorum qui aliena tenebant, & eorum qui sua amiserant, perfecitque estimandis possessionibus, ut perliceret alij, ut pecuniam accipere mallerent & possessionibus cederent: alij ut commodius putarent numerati sibi quod tanti esset, quam suu recuperare. Ita perfectum est, ut omnes

matter, he said he would make a voyage to Alexandria: and commaunded the matter to remain vntouched, vntill his returne. And he with speede went to Ptolemeus, who had bene his entertainer, which then raigned the second after the building of Alexandria: to whom when he had declared that he was minded to set his country at liberty: & had informed him of his case: the noble man soon obtained of h rich King to be ayded w a masse of money. Which when he had brought into Sicion, he toke to him in counsaile siffene of his nobles, with who he examined the cases both of them who did with-hold other mens, & of theirs who had lost their owne, and did put these siffene in commission, for the valuing of possessions, & to perswade som, y they would be willinge to take money, & to release their possession: sother some to think, that to haue as much paid them in value, it were more profit, then to recouer their owne.

So it came to passe, that they all departed without complaint by a well ordered concord. A man of much honour, & worthy to haue been borne in our common weal. Thus it is meete to deale with Cittizens, and not (as twice already we haue seene) to pitch sale staffe in the market place, & to put the goods of the Cittizens in the criers mouth. But that Græke thought meet to prouide for al, which was the part of a wise and a worthy man. And that is the grettest discretion & wisdome of an honourable citizen to defend, not to pull away the citizens commodities, & to containe them all within one maner of equity.

But some wil say, men may dwell rent free in anothers house, why so? That when I haue bought it, haue builded it, doe repaire it, doe lay charges vpon it, thou shouldest haue the vse of mine against my will? What is this else, but from some to take their owne, and to some to giue other mens.

constituta concordia, sine querela discederent.

O virum magnum, dignumque, qui in nostra Republica natus esset. Sic par est agere cum Ciuibus, non (ut his iam vidimus) hastam in foro ponere, & bona Ciuium voci subijcere præconis. At ille Græcus (id quod fuit sapientis & præstantis viri) omnibus consulendum putauit. Eaque est summa ratio, & sapientia boni Ciuis, commoda Ciuium defendere non diuellere: atque omnes æquitate eadem continere.

Habitent gratis in alieno. Quid ita? Ut cum ego emerim, ædificauerim, tuear, impendam, tu me inuito, fruare meo? quid est aliud, quam alijs sua eripere, alijs dare aliena?

Tabulæ

De Officijs.

Tabulæ verò nouæ quid habent argumenti, nisi vt emas mea pecunia fundum, & cum tu habeas, ego non habeam pecuniam? Quam obrem nè sit æs alienum, quod Reipublicæ noceat, prouidendum est, quod multis rationibus caueri potest, hoc si non fuerit, vt locupletes, suū perdant, debitores lucrentur alienum. Nec enim vlla res vehementius Rempublicam continet quam fides: quæ esse nulla potest nisi erit necessaria solutio rerum creditarum. Nunquam vehementius actum est, quàm me Consule, ne solueretur. Armis & castris tentata res est ab omni genere hominum & ordine: quibus sic restiti, vt totum hoc malum de Republica tolleretur. Nunquam nec maius æs alienum fuit, nec melius nec facilius dissolutum est. Fraudandi enim spe

And as for the new Tables, what reason haue they, but that you may buy land with my money, and possesse it your selfe, and yet I may not haue my money. Wherefore it must bee prouided, that there bee no debt which may hinder the Commonwealth, which thing may bee looked to many wayes, if this be not suffred, that possesioners loose not their owne, nor debtors gaine other mens. For nothing more strongly preserueth a Commonwealth than faithfulness, which can be none at all, except ther be of necessity a payment of things loned. For neuer more earnestly it was gone about, than when I was Consul, that there should be no payments. The matter was attempted with speare & shield by euery sort and degree of men, whom in such wise I withstode, that this so great a mischief was rooted out of the Commonwealth. Neuer was there more debt, neither better nor easier payd. For when hope

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of defrauding was taken away, necessitie of payment followed. But this our conquerour now verely conquered, hath compassed those things which hee purposed, whereas now hee is neuer a whit the better. So great was his desire to doe naughtely that euen the very doing of naughtines delighted him although he had no occasion.

They then who shall behold the common weal, must keepe them away from this manner of large gifts, that to some they be giuen, and from other they be taken, & specially must giue their diligence, that by equitie, law and iudgement, euery man may hold his owne, and neither the poorer sort for their small abilitie be deceiued by couin, nor enuy may hinder the rich, either to keepe or recouer their owne. Moreover by what meanes soeuer they can, either in War or peace, let them enlarge the Common weale with dominion, land, and custome.

These be the duties of

sublata, soluendi necessitas consequuta est. At verò hic noster victor, nunc quidem victus, quæ cogitabat, tum ea perfecit, cum eius iam nihil interesset. Tanta in eo peccandi libido fuit, vt hoc ipsum eum delectaret peccare, etiam si causa non esset.

Ab hoc igitur genere largitionis, vt alijs detur, alijs auferatur, abeunt ij, qui Rempublicam tuebuntur. Inprimisque operam dabunt, vt iuris & iudiciorum æquitate suum quisque teneat: & neque tenuiores, propter imbecillitatem circumueniantur: neque locupletibus ad sua vel tenanda, vel recuperanda obsit inuidia. Præterea quibuscumque rebus, vel bello, vel domi potuerunt, Rempublicam augeant, imperio, agris, vestigaliis.

Hæc magnorum hominum

De Officijs.

hominū sunt, hæc apud Maiores nostros factitata. Hæc genera officiorum qui persequuntur, cum summa utilitate Reipublicæ, magna ipsi adipiscuntur, & gratiam & gloriam. In his autem utilitatum præceptis, Antipater Tyrius Stoicus, qui Athenis nuper est mortuus, duo præterita censet esse à Panætio, valetudinis curationem, & pecuniæ. Quas res à summo philosopho præteritas arbitror quod essent faciles, sunt tamen certè viles.

Sed valetudo sustentatur notitia sui corporis, & obseruatione, quæ res aut prodesse soleant aut obesse: & continentia in victu omni atque cultu, corporis tuendi causa, & prætermittendis voluptatibus: postremo arte eorum, quorum ad scientiam hæc pertinent.

Res autem familiaris

noble men, these were praised among our ancestors. These kindes of duties who so followes, shall with very great profit to the Common weale, get themselves both great fauor and gloꝝy. But in these precepts of profit, Antipater of Tyre, the Stoike, who a late dyed at Athens, thinks that two precepts bee ouer leaped of Panætius, rendering of health, and prouision of money. Which things I suppose to haue bene ouerpasse by the noble Philosopher, because they were light matters, yet without doubt they be profitable.

But health is preserved by knowledge of ones owne body, and marking those things which are wont either to doe good or harme, & by a staيدnesse both in all a mans diet, and apparell, for cherishing of the body, & also forbearing pleasures, and lastly, by their cunning to whose seience these things pertaine.

But a mans sustaunce must

must be gotten, by those things which be farre from dishonesty, & must be saued by diligence and honest sparing, & by those same means also, it must be encreased. Xenophon the socratician hath gone through these things very handsomely, in that booke which is intituled Economicus, the which we turned out of græke into latin, when we wer at the same age in a manner as you are now.

But comparing of profits (because this fourth place was ouerpasse by Panætius) is oftentimes necessarie. For both the gifts of the body are wont to be compared with fortunes gifts, and also fortunes gifts with the bodies gifts, and those of the body one with another, and those that fortune giues likewise one with another. The bodies gifts be compared with fortunes after this sort, that you had rather be in health, than be rich. Fortunes gifts be compared with the bodies in this wise, that you had rather be rich, than of very

quæri debet ijs rebus, à quibus abest turpitudine, conseruari autem diligentia & parsimonia, eisdem etiam rebus augeri. Has res commodissime Xenophon Socraticus persecutus est in eo libro, qui Oeconomicus inscribitur: quem nos ista ferè ætate cum essemus, qua es nunc, è Græco in Latinum conuertimus.

Sed vtilitatum comparatio (quoniam hic locus erat quartus à Panætio prætermisus) sæpe est necessaria. Nam & corporis commoda cum externis & externa cum corporis: & ipsæ inter se corporis: & externa cum externis comparari solent. Cum externis corporis hoc modo comparantur, valere ut milis, quam diues esse. Cum corporis externa, hoc modo, diues esse potius quàm maximis corporis viribus.

Ipsa

De Officijs.

Ipsa inter se corporis, great strength. Those of the
comparantur sic, vt bo- body be compared one with
na valetudo voluptati an other, thus, that good
anteponatur: vires cele- health be preferred before
ritati. Externorum au- pleasure, and strength before
tem: vt gloria diuitijs, swiftnesse. But fortunes
uestigalia Urbana ru- gifts be compared together
sticis. this way, that glory be este-
med before riches, & Citie
tribute before the countries.

Ex quo genere com- Of the which kind of com-
parationis illud est Ca- parison, is that saying of Ca-
tonis senis: à quo cum to the olde manne, of whom
quæreretur quid maxi- when it was demaunded,
mè in re familiari ex- what was most profitable
pediret? respondit, Be- for a mans substance? he
nè pascere. Quid secun- made answere: to feed well.
dum? Satis benè pa- What the second? To feede
scere. Quid tertium? sufficiently well. What the
Benè Vestire. Quid third? To cloth well. What
quartum? Arare. Et cum the fourth? To plow. And
ille, qui quæsierat dix- when he who had moued
isset: Quid scenerari. the question had said, what
Tum Cato: Quod ho- to lend vpon vsury? then
minem, inquit, occi- what is it, quoth Cato, to
dere? kill a man.

Ex quo, & multis
alijs intelligi debet, vti-
litatum comparationes
solere fieri: & rectè hoc
adiunctum esse quartum
exquirendorum officio-
rum genus.

Sed toto hoc de ge-

Whereupon, and of many
other things it ought to be
gathered, that comparisons
of profits are wont to be
made, and that this is very
well adloyned for the fourth
point of serching out of duty
But

But of this whole matter
 of getting mony, of bestow-
 ing the same, and also of
 using it, far better it is dis-
 puted by certain honest men
 sitting at the middle Lane,
 than of any Philosophers in
 any schoule, yet are they to
 be knowne, and of them
 in this booke we have
 treated. The rest
 will wee prosee-
 cute here.
 after.

nere, de querenda, de
 collocanda pecunia, eti-
 am de vtenda, commo-
 dius à quibusdam opti-
 mis viris ad Ianum me-
 dium sedentibus, quàm
 ab vllis Philosophis vlla
 in schola disputatur. Sunt
 tamen ea cognoscenda.
 Pertinent enim ad vti-
 litatem, de qua hoc
 libro disputatú est.
 Reliqua deinceps
 persequamur.

Scipio Calo, reg. Beus. Care
A P. Scipio

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MARCVS TVL-
LIVS CICEROES

third booke of du-
ties, to Marcus
his sonne.

M. TVLLII
CICERONIS

de Officijs, ad M.
filium Liber
tertius.

The same Publius Scipio,
Sonne Marke, who the
first Africanus was na-
med, wold commonly say as
Cato hath written, who was
in a maner, his like in pœts:
that he was neuer more lea-
surelesse, then when hee was
leasurefull: & neuer lesse a-
lone, then whē he was all a-
lone. A noble saying surely, &
merte for a worthy and wise
man: which declareth that
hee both in his leasure, was
wont to muse of matters to
be done, & also in his solita-
rinesse, to debate them with
himselfe, so as hee was no-
thing idle at any time, and
sometime needed not the cō-
munication of other. And so
these two things, leasure, &
solitarinesse, which bying a
dualnesse vpon other, made
him the quicker. I would

PUBLIVM Sci-
pionem, MARCE
fili, eum qui pri-
mus Africanus appella-
tus est, dicere solitum
scripsit. Cato, qui fu-
it ferè eius æqualis,
nunquam se minus o-
tiosum esse, quàm cum
otiosus: nec minus so-
lum, quàm cum solus
esset.

Magnifica verò vox
& magno viro ac sa-
piente digna: quæ de-
clarat illum, & in otio
de negotijs cogitare, &
in solitudine secum lo-
qui solitum, vt neque
cessaret vnquam, & in-
terdum colloquio alte-
rius non egeret. Itaque
duæ res, quæ languorem
afferunt ceteris, illū acu-
ebant, otium & solitudo.
Vellem

Q

De Officijs.

Vellem & nobis hoc idem verè dicere liceret. Sed si minus imitatione tantam ingenij præstantiam consequi possumus, voluntate certe proximè accedimus. Nam & à Repub. forensibusque negotijs, armis impijs, vique prohibitijs, omnium persequimur, & ob eam causam vrbe relicta, rura peregrinantes, sæpe, soli sumus. Sed nec otium hoc cum Africani otio, nec solitudo hæc, cum illa comperanda est. Ille enim requiescens à reip. pulcherrimis muneribus otium sibi sumebat aliquando, & à cœtu hominum, frequentiaque interdum tanquam in portum se in solitudinem recipiebat. Nostri autem otium negotij inopia, non requiescendi studio constitutum, est.

Extincto enim senatu, deletisque iudicijs: quid est, quod dignum nobis, aut in curia, aut in

wish, that we likewise might truly say the very same. But although by imitation, we are not able to attaine so great excellencie of wit, yet doubtlesse in desire we come very nere. For both by wicked warre and power, being put off from common weale matters & iudiciall causes, we take our quiet leasure, and for that cause leauing the city, & walking abroad in the country, often times we be alone. But neither this leasure is to be compared with Africanus leasure: nor this solitarinesse with that of his. For he ceasing from the goodly ministration of the Common weale, took himselfe leasure otherwhile, and from the pæse and resort of men, now and then into a solitary place, as into a haue, with drew himself, but our leasure comes not of desire of rest, but for lacke of businesse.

For seeing the Senate is deposed, & iudgements abolished: what is there, & either in court, or in place of plea,
mæte

meete for vs, wee may doe?
Therefore wee, who in the
greatest assembly, and in the
eyes of the citizens sometime
haue liued, now flying the
sight of the wicked, with
whom all places swarme,
doe withdraw our selues as
much as we may, & are often
times alone. But because
thus wee haue heard of lear-
ned men, that not onely of e-
uils we ought to chuse the
least, but also if there were
any goodnesse in them, to
picke it out, therefore both
I inioyn quietnesse, not such
twis, as hee ought to haue,
who once procured quietnesse
to the whole Citie, and also
doe not suffer that solitari-
nesse to waie idle, which ne-
cessitie brings vpon me, and
not mine owne desire.

Although Africanus did
get greater praise, euen in
my iudgement, yet no monu-
ments of his wit put in wat-
ting, no worke of his quiet
life, no fruit of his solitari-
nesse remaines abroad.
Whereof it must needs be
gathered, that hee by earnest

foro agere possimus?
Ita qui in maxima cele-
britate, atque in oculis
cuium quondam vixi-
mus, nunc fugientes con-
spectum sceleratorum,
quibz omnia redun-
dant, abdimus nos quā-
tum licet; & saepe soli
sumus. Sed quia sic ab
hominibus doctis acce-
pimus, non solum ex
malis eligere minima
oportere: sed etiam ex-
cerpta ex his ipsis, si
quid in esset boni: prop-
terea & otio fruor, non
illo quidem, quo debeat-
is, qui quondam pepe-
risset otium ciuitati. Nec
eam solitudinem lan-
guere patior, quam mihi
affert necessitas, non
voluntas.

Quamquam Africanus
maiorē laudē vel meo
iudicio assequeretur,
nulla tamen eius ingenij
monumenta mandatali-
teris, nullum opus otij,
nullum solitudinis mu-
nus extat. Ex quo intelli-
gi debet, illum mentis
agitatione,

De Officijs.

agitatione, inuestigati-
oneque earum rerum,
quas cogitando conse-
quebatur, nec otiosum,
nec solum vnquam fu-
isse. Nos autem, qui non
tantum, roboris habemus,
vt cogitatione tacita à
solitudine abstrahamur,
ad hanc scribendi operam,
omne studium curamque
conuertimus. Itaque plura
breui tempore euerfa,
quam multis annis stan-
te Rep. scripsimus.

Sed cum tota philoso-
phia mi Cicero, frugife-
ra, & fructuosa, nec vlla
pars eius inculta ac de-
serta sit: tamen nullus
feratior in ea locus est,
nec vberior, quam de of-
ficijs, à quibus constan-
ter, honesteque viuendi
præcepta ducuntur.
Quare quamquam à
Cratippo nostro princi-
pe huius memorie Phi-
losophorum hoc te dissi-
duè audire, atque accipere
confido: tamen con-
ducere arbitror talibus

occupping of his minde, and
by bearing out those things,
which by musing hee attay-
ned: was neither idle, nor at
any time alone, but wee who
haue not so great depnesse
of wit, that by secret musing
wee be drawn from soli-
tarinesse: doe turne all our
studie and indeauour to this
trauaple of witting. And
therefore wee haue witten
more in a short space, since
the state was ouerthrowen,
then in many yeeres, when
it stode.

But whereas all Phi-
losophie my Cicero, is very
good and fruitfull, nor any
part thereof is barraine and
wast, yet no place therein
is more yielding nor more
plentifull, then the place tou-
ching duties, from which be
borrowed the precepts of li-
uing constantly & honestly.
Wherefore although I trust
you daily heare and receiue
this same of our Cratippus,
Prince of Philosophers in
these daies, neuerthelesse
I holde it profitable that I
ring about your eares with
such

such
that
be
thin
don
to e
wot
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on,
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such sounds on euerý side, & that they if possibly it may be done, heare none other thing, which both is to be done of all those that minde to enter the honest life, & I wotte not whether of any man moze then of your selfe. For you carry an expectation, not smal of following our trade, great of comming to our honour, some peraduenture of attaining to our fame. You haue taken vpon you mozeouer a great charge, both by reason of Athens, & also of Cratippus, to which seeing, as to the mart of good sciences, you haue traiailed: to returne empty a great reproach it is, stayning the worship both of the Cittie, and also of your master.

Wherefoze as much as by wit you are able to compassé, as much as by paine you can endeuour (if to study be rather a paine then a pleasure) so much see that you doe in dede, and giue no occasion, that seeing al things are sufficed by vs, you should seeme to haue disappointed your

aures tuas vocibus undique circumsonare, nec eas si fieri possit, quicquã aliud audire. Quod cum omnibus est faciendum, qui vitam honestam ingredi cogitant: tum haud scio an nemini potius quam tibi. Sustines enim non paruam expectationem imitandæ industriæ nostræ, magnam honorum, nonnullam fortassé nominis. Suscepisti onus præterea graue & Athenarum, & Cratippi, ad quos cum tanquam, ad mercaturam bonarum artium sis profectus, inanem redire turpissimū est, dedecorantem & vrbis authoritatem & magistri.

Quare quantum con-
niti animo potes, quantum labore contendere (si discendi labor est potius, quam voluptas) tantum fac vt efficias, neue committas, vt cum omnia suppeditata sint à nobis, tute tibi defuisse
Q 3 videare.

De Officijs.

videre. Sed hæc hæc-
nus. Multa enim sæpe
ad te cohortandi gratia
scripsimus. Nunc ad reli-
quam partem propo-
sitæ diuisionis reuer-
tamur.

Panætijs igitur, qui
sine controuersia de of-
ficijs accuratissime dis-
putauit, quemque nos,
correctione quadam ad-
hibita potissimum se-
quuti sumus: tribus ge-
neribus propositis, in
quibus deliberare homi-
nes & consultare de of-
ficio solerent: vno cum
dubitarent honestumne
id esset de quo ageretur
an turpe: altero vtile ne
an inutile: tertio, si id
quod speciem haberet
honesti, pugnaret cum
eo quod vtile videretur:
quomodo ea discerni
oporteret: de duobus
generibus primis tribus
libris explicauit: de ter-
tio autem genere deinceps
se scripsit dicturum, nec
exoluit id quod promi-
serat. Quod eo magis

se. But of these matters
hetherto. For we haue often-
times written much vnto
you in way of exhortation.
Now to the part remaining
of the foresaid deuision let
vs returne.

Panætijs therefore, who
without doubt of Duties
hath most diligently dispu-
ted, and whom we (vsing a
certaine correction) haue
chiefely followed, when he
had set forth three kindes, in
which menne were wont to
counsaille and aduise them-
selues of duty, the one, when
they should doubt whether it
were honest or dishonest: the
other whether it were pro-
fitable or vnprofitable: the
third, if that which should
haue the shew of honestie,
should striue with it, that
seemed profitable: how
it should be necessary,
those same to be discerned:
of the first two kindes, in
three booke he opened his
minde: and of the third kinde
he wrote, he would speake
afterward: and that did he
not

not performe, which hee had promised, whereat I meruaile the more, because it is written by his scholler Possidonius, that Panætius liued thirtie yeeres after hee had set forth those booke, which place I wonder it was so briefly touched of Possidonius in certaine Abridgments: specially seeing hee writes, there is no place in all Philosophie so necessary.

But in no wise I agree with them, which deny this place did overscape Panætius: but that of purpose it was left out, and that it was not to be written at all, because profit might not striue with honestie. Touching the which, the one may haue in it a doubt, whether this part which in Panætius diuision is the third, was to be added, or vterly to be left out: the other cannot be doubted of, but of Panætius it was taken in hand, and yet left vntreated. For who so of a threeparted diuision, two parts hath finished, to him the third must needs remaine.

miror, quia scriptum à discipulo eius Possidonio est, triginta annos vixisse Panætium, postquam illos libros edidisset. Quem locum miror à Possidonio breuiter esse tactum in quibusdam commentarijs, presertim cum scribat, nullum esse locum in tota Philosophia, tam necessarium.

Minimè verò assentior ijs, qui negant eum locum à Panætio prætermisum: sed consulto relictum, nec omnino scribendum fuisse, quia numquam posset vtilitas cum honestate pugnare. De quo alterum potest habere dubitationem, adhibendum ne fueris hoc genus, quod in diuisione Panætij tertium est, an planè omittendū. Alterum dubitari non potest, quin à Panætio susceptum sit, sed relictū. Nam qui è diuisione tripartita duas partes absoluerit: huic necesse est restare

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restare tertiam. Præterea in extremo libro tertio, de hac parte pollicitur se deinceps esse dicturum. Accedit eodem testis locuples Possidonium, qui etiam scribit in quadam epistola Publium Rutilium Rufum dicere solere, qui Panætium audiuerat: ut nemo pictor esset inuentus, qui Veneris eam partem, quam Apelles inchoatam reliquisset, absolueret (oris enim pulchritudo, reliqui corporis imitandi spem auferbat) sic ea, quæ Panætius prætermisisset & non perfecisset, propter eorum, quæ fecisset præstantiam, nemine esse persequitur. Quamobrem de iudicio Panætij dubitari non potest: restat autem hanc tertiam partem ad exequendum officium adiunxerit, an secus, de eo fortasse dubitari potest. Nam siue honestum solum bonum est, ut Stoicis placet: siue quod

Moreover in his third booke toward the end, hee promised, that afterward hee will speake of this part. Hereto commeth a substantiall witness, Possidonium, who also writeth in a certaine Letter that Publius Rutilius Rufus, which had heard Panætius, was wont to say. Like as no Painter might be found who could finish by that part of Venus which Apelles had left unfinished: (for the beautie of her face took away the hope of counterfeiting the rest of her bodie) so those things, that Panætius had overpassed, and had not finished, there was no man to prosecute, because of the excellencie of those matters which hee had gone through withall, wherefore of Panætius iudgement, it cannot be doubted, but whether he to the searching out of virtue, this third part adjoyned well or no, thereof peradventure it may be doubted. For whether honesty be the onely good, as it is the Stoicks, or els honesty in

in such sort be the soueraign good (as seemeth to our Peripatetikes) that they count all things set on the other side, of very smal weight in comparison, it is not to be doubted, but that profite can neuer be at strife with honesty.

Therefore we haue heard say, Socrates was wont to curse them, who first parted a sunder in opinion, these that by nature were coupled together, to whom doubtlesse the Stoikes so assented, that what so was honest, the same also they iudged to be profitable, noz any thing to be profitable which were not honest. If Panætius were the man who should say, that vertue therefore should be honoured because it is the causer of profite, as they who measure things, meete to be desired eyther by pleasure or vngriuefulness: he might maintaine, that honestie sometime strives with profit. But seeing he is the man who iudgeth that onely good, which in honest, and

honestū est, id ita summum bonum est (quemadmodum Peripateticis nostris vedetur) vt omnia ex altera parte collocata, vix minimi momenti instar habeant: dubitandum non est, quin nunquam possit vtilitas cū honestate contendere.

Itaq; accepimus Socratem solitum execrari eos, qui primū hęc natura cohærentia opinionione distraxissent. Cui quidem ita sunt Stoici assensu, vt & quicquid honestum esset, id vtile esse censerent: nec vtile quicquam quod nō honestum. Quod si is esset Panætius, qui virtutē propterea colendam diceret, quod ea efficiens vtilitatis esset: vt ij, qui res expetendas, vel voluptate, vel indolentia metiuntur, liceret ei dicere honestatem, aliquādo cum vtilitate pugnare. Sed cum sit is, qui id solū bonū iudicet quod honestum

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honestum sit? quæ autem huic repugnant specie quadam utilitatis, eorum neque accessione meliorem vitam fieri, nec decessione peiorem, non videtur huiusmodi debuisse deliberationem introducere: in qua quod utile videretur, cum eo quod honestum est, compararetur. Etenim quod summum bonum à Stoicis dicitur, conuenienter naturæ viuere, id habet hanc (ut opinor) sententiam naturam cum virtute congruere semper, cætera autem, quæ secundum naturam essent, ita legere, si ea virtuti non repugnarent. Quod cum ita sit putant quidem hanc comparisonem non esse rectè introductam nec omnino de eo genere quicquam præcipiendum fuisse. At quæ illud quidem honestum, quod propriè verè quæ dicitur, id in sapientibus est solis, neque à virtute diuelli vnquam

that mans life is made euer the better, by increase of such things, as be repugnant to honesty, vnder a certayne shew of profite, nor by decrease of them the worse, it seemes hee should not haue brought in such manner talking of aduicement, where in that which should seeme profitable, should be compared with that which is honest. For that which of the Stoike is called the soueraigne good, as to liue agreeable to nature, it hath (as I suppose) this meaning, with vertues alwayes to agree, & other things which should be according to nature so to chuse: if to vertue they were not repugnant. Which seeing it is so, some suppose, this comparison was not well brought in: nor any thing at all, touching the braunch shou'd haue bene taught. And surely that honesty, which is properly and truly so called, is in the wise onely, and from vertue can neuer be seuered, but in those

those in whom is not perfect wisdom, doubtlesse that same perfect honesty can in no wise be, semblaunces of honesty there may be.

All those duties therefore whereupon in this booke we dispute, the Stoikes call the meane duties, and those be common duties, and doe spred farre, which many attayne both by goodnesse of wit, and by going forward in learning. But that which they call Rectum, is the perfect and absolute dutie, and as they also say, it hath all his parts, neither can happen to any, but a wise man. And when any thing is done wherein the meane duties may appeare, it seemeth to be fully perfect, because the common people almost vnderstandeth not at all, what it wanteth of perfect, but as farre as they vnderstand, they thincke nothing is left vndone. And whereas it commonly chanceth in matters and paintings, and in other things more, that the buskilfull be delighted, and

potest. In ijs autem in quibus sapientia perfecta non est, ipsum illud quidem perfectum honestum nullo modo similitudines honesti esse possunt. Hæc enim omnia officia, de quibus his libris disputamus, media Stoici appellant: & ea communia sunt, & late patent quæ & ingenij bonitate multassequuntur, & progressionem discendi. Illud autem quod rectum iidem appellant perfectum atq; absolutum est: & ut iidem dicunt, omnes numeros habet, nec præter sapientem cadere in quæquam potest. Cum autem aliquid actum est in quo media officia compareant, id cumulatè videtur esse perfectum, propterea quod vulgus quid absit à perfecto ferè non ex toto intelligit: quatenus autem intelligit, nihil putat prætermisum. Quod item in Poematis & in picturis usu venit, in alijsque compluribus

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complurib' vt delecten-
tur imperiti, laudentq; ea
que laudanda nō sunt, ob
eam credo causam, quod
in sit in his aliquid probi,
quod capiat ignaros, qui
ijdem quid in vna quaq;
re, vitij sit, nequeant iu-
dicare. Itaq; cū sint do-
cti à peritis, facilè desi-
stunt, à sententia. Hæc
igitur officia, de quibus
his libris desserimus, qua
si secunda quædam ho-
nesta, dicūt esse, non sa-
pientium modo propria,
sed cum omni hominum
genere communia.

Itaque his omnes, in
quibus est virtutis indo-
les commouentur. Nec
verò cum duo Decij, aut
duo Scipiones, fortes vi-
ri commemorantur, aut
cum Fabritius, aut Ari-
stides iusti nominantur,
aut ab illis fortitudinis,
aut ab his iustitiæ, tan-
quam à sapientibus, pe-
titur exemplum. Nemo
enim horum sic sapiens
est, vt sapientem volum'
hic intelligi. Nec ij, qui

praise those things that are
not to be praysed, for that
cause I beleue they doe so,
that in those there is some
good grace that catcheth the
ignorant who indeed be not
able to discern, what fault
is in euery thing. And there-
fore when they be taught of
the skilfull, they soone fall
from their opinion. The
Stoikes then say, that these
duties, whereupon in these
Bookes we treat, be (as
who saith) certaine second
sorts of honesty, not pro-
per onely to the wise, but
common also to all manner
of men.

Therefore all be allured
with these, in whom there is
a forwardnes of vertue. And
when the two Decij, for the
two Scipius be vouched for
manly men, or else when Fa-
britius or Aristides, be al-
leaged as iust, neyther of
them for manlynesse, nor of
these for iustice, the example
is brought, as of perfect wise
men. For none of these in
such sort is wise, as in this
place we will haue a wise
man

man taken : noꝛ Marcus Cato, and Caius Lelius, who were counted & called wise, were perfect wise men : no noꝛ these seauen sages of Greece: but by the often vsing of the meane & common duties, they bore a certaine semblance and shew of wise men. Wherfoze neither is it lawfull that the thing which indeed is honest, bee compared with the contrarietie of the profitable, neither that which commonly we call honest, and which is exercised of them who will haue themselves good men to bee counted, with commodities at any time is to be compared, and as well that honestie which falleth into our vnderstanding, is of vs to be maintained and kept as that is, of the wise, which properly is called, and indeed is honesty. For otherwise it cannot bee holden on, if ther be attained any proceeding to vertue. But this we say by them who by keeping of duties are esteemed for good men.

sapientes habiti sunt & nominati M. Cato, & C. Lelius sapientes fuerunt, nec illi quidem septem, sed ex mediolorum officiorum frequentia; similitudinem quandam gerebant, speciemq; sapientum. Quocirca nec id, quod vere honestum est, fas est cum vtilis repugnantia comparari : nec id quod communiter appellamus honestu, quodque collitur ab ijs, qui bonos se viros haberi volunt, cum emolumentis vnquam est comparandum. Tanque id honestum, quod in nostram intelligentiam cadit, tuendum conseruandumque nobis est, quam illud quod proprie dicitur, vereque est honestum sapientibus. Aliter enim teneri non potest, si qua ad virtutem est facta progressio. Sed hæc quidem de ijs, qui conseruatione officiorum existimantur boni.

Qui

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Qui autem omnia metiuntur emolumentis & commodis, neque ea volunt præponderari honestati, hi solent in deliberando, honestum cum eo, quod vile putant, comparare, boni viri non solent. Itaque existimo Panætium cum dixerit homines solere in hac comparatione dubitare, hoc ipsum sensisse, quod dixerit, solere modo, non etiam oportere. Etenim non modo pluris putare quod vile videatur, quam illud quod honestum, sed hæc etiam inter se comparare, & in his addubitare turpissimum est.

Quid est ergo, quod nonnunquam dubitationem afferre soleat, considerandumque videatur? Credo si quando dubitatio accidit, quale sit id, de quo consideretur. Sæpe enim tempore fit, ut quod plerumque turpe haberi soleat, inue-

But who doe measure all things, by profits, and commodities, & wil not the same to be ouerwayed with honesty, these are wont in aduisement taking, to compare honesty with it, which they reckon profitable, good men vse not so to doe. Therefore I thincke, Panætius, when he said, men are wont in this comparison to doubt, meant the very same that he spake, that men only are wont, but not that they must needes. For not onely to iudge the thing, that seemeth profitable more worth than that which is honest, but also to compare these together, and in them to cast doubts, a very to wle shame it is.

What is it then, that many times is wont to bring a doubtfulnesse: and seemeth meete to be considered? I suppose it is, if at any tyme there befall a doubtfulnesse: what manner of thing it is whereof consideration is taken. For often by the time it comes to passe, that it which for the most part is wont to be

bee counted dishonest is found not to bee dishonest. For examples sake let there bee put some case, that more largely extendeth, what greater mischiefe can there bee than one to kill not onely a man, but also his familiar? hath hee than glutted himselfe of murder who hath slaine a tirant, although he were his familiar? To the people of Rome doubtlesse it seemeth not so; who of all worthe deeds esteemeth that the noblest. With them therefore profit passeth honestie: yet rather honestie followed after profit. Therefore that without any error we may bee able to iudge, if euer that which we call profitable shal seeme to striue with it, which is knowne for honest: a certaine rule is to be appoynted, which if we will follow in the comparison of things, from dutie we shall neuer swaue.

And this rule shall be most agreeable with the trade and doctrine of the Stoikes: which verely in these booke

niatur non esse turpe. Exempli causa, ponatur aliquid quod pateat latius. Quod potest esse maius scelus, quam non modo hominem, sed etiam familiarem occidere? Num igitur se obstrinxit scelere, si quis tyrannum occidit, quamuis familiarem? populo quidem Romano non videtur, qui ex omnibus præclaris factis illud pulcherrimum existimat. Vicit igitur vtilitas honestatem, immò verò honestas vtilitatem secuta est. Itaque vt sine vllō errore diiudicare possimus, si quando cum illo, quod honestum intelligimus, pugnare id videtur, quod appellamus vtile. formula quædam constituenda est, quam si sequemur in comparatione rerum, ab officio nunquam recedemus.

Erit autem hæc formula Stoicorum rationi, disciplinæq; maxime consentanea: quam quidē in his libris

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Libris propterea sequimur, quod quanquam à veteribus Academicis & Peripateticis nostris (qui quondam idē erant, qui Academici, quæ honesta sunt, anteponuntur ijs, quæ videntur utilia : tamen splendidius hæc ab ijs differuntur, quibus quicquid honestum est, idem vile videtur, nec vile quicquā, quod non honestum : quam ab ijs quibus aut honestum aliquid non vile, aut vile non honestum est.

Nobis autem nostra Academia magnam licentiam dat, ut quodcunque maximè probabile occurrat, id nostro iure liceat defendere. Sed redeo ad formulam.

Detrahere igitur aliquid alteri, & hominem hominis in commodo suum augere commodū, magis est contra naturam quam mors, quam paupertas, quam dolor, quæ cetera, quæ possunt

we therefore follow, because although of the auncient Academics, and our Peripatetikes (who were once al one with the Academics) those things which be honest be preferred before such as seeme profitable: yet these more goodly be disputed of the Stoikes, to whome what so is honest, the same seemeth profitable : and nothing seemes profitable which is not honest, than it is of those who reckon somewhat to be honest and not profitable or somewhat profitable and not honest.

But to vs our Academia giues great liberty : that whatsoeuer most prouisable comes in place, the same by our prerogative we may lawfully defend. But I returne to the rule.

To pull away then any thing from another, and a man to increase his commodities with another mans discomfort, it is more against Nature : than death, than pouerty, than paine, and other things which may hap=

happen either to the bodie, or to the outward state. For first of all it takes away the conuersation & fellowship of men. For if we shal be so disposed, that euery man for his owne commoditie, spoyle & wrong another, the fellowship of mankind which is most according to nature, must needs be broken. As if euery part of the bodie should haue this imagination, to thinke it might be strong, if it had conueyed to it selfe the strength of the next limbe, of force it should follow, that the whole bodie should be weakened & perish, euen so if euery one of vs catch to himselfe the commodities of other, and pulleth from each man what he can, for his owne profits sake, the fellowship and common companionship of men must needs be overthrowen.

For it is sufferable, and nature not against it, that euery man be more willing for himself, than for another man to get what so pertaينeth to the vse of his life,

aut corpori accedere, aut rebus externis. Nam principio tollit conuictum humanum & societatem, si enim sic erimus affecti, ut propter suum quisque emolumentum spoliet aut violet alterum, disrumpi necesse est eam, quae maxime est secundum naturam, humani generis societatem. Ut si vnum quodque membrum sensum hunc haberet, ut posse putare se valere, si proximi membri vultudinem ad se traduxisset, debilitari & interire totum corpus necesse esset, sic si vniuersusque nostrum rapiat ad se commoda aliorum detrahatque quod cuique possit, emolumentum sui gratia, societas hominum & communitas evertatur necesse est.

Nam ut sibi quisque malit quod ad vsum vitae pertineat quam alteri acquirere, concessum est non repugnante natura.

R

Illud

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Illud quidem natura non patitur, vt aliorum spolijs nostras facultates, copias, opes augeamus. Neque verò hoc solum natura, id est, iure Gentium, sed & legibus populorum, quibus in singulis Ciuitatibus Respublica continetur, eodem modo constitutum est, vt non liceat sui commodi causa noceri alteri. Hoc enim spectant Leges, hoc volunt incolumem esse ciuium coniunctionem, quam qui dirimunt, eos morte, exsulio, vinculis, damno coercant. Atque hoc multò magis exigit ipsa naturæ ratio, quæ est lex diuina & humana : cui parere qui velit (omnes autem parebunt, qui secundum naturam volunt viuere) nunquam committet, vt alienum appetat, & id quod alteri detraxerit, sibi assumat. Etenim multò magis est secundum naturam celsitas &

This doubtlesse, Nature doth not suffer, that with the spoile of other, wee increase our riches, substance, and wealth. And not onely it is ordayned by nature, that is to wit, by the vniuersal law of Nations, but also in like manner, by the lawes of people, whereby in euery Citie the commō wealth is vpholden, that it shold not be lawfull for a mannes owne profits sake to hurt another: for the lawes tende to this, and this they meane, that the fellowship of Citizens bee in safety, which who so riue asunder, those with death, banishment, prisonment, and penalties they punish. And this much moze doth the very course of nature require, which is the law of God and man, & which who so is willing to obey (all truly will obey it, that haue a minde to liue according to nature) shal neuer so offend, that another mans goods he would couet, & take to himselfe that he hath pulled from another. For much moze according

to nature is the highnes and
greatnesse of courage : and
likewise common fellowship
iustice and liberality : then
pleasure, then life, then ri-
ches. Which things doubt-
lesse for a man to despise and
set at naught, in comparison
of common profit : is a signe
of a great and haughty cou-
rage. But to pull from an-
other for ones owne profit
sake, is more against nature
then death, then sorrow then
the rest of the same kinde.
And in like manner, more
according to nature it is, for
the sauing and aiding of na-
tions (if it may possibly be
done) to undertake great
trauailes & paines follow-
ing that notable Hercules,
whom mens reports (there-
cofder of deserts) hath place
in the company of the aboue:
then to liue in solitarinesse,
not only without any pains,
but also in great pleasures,
flowing full of all riches,
yea though moreouer you
may excell aliother in beau-
ty and strength.

Wherefore euery man of the

animi magnitudo, item-
que communitas iusti-
tia, liberalitas, quam
voluptas, quam vita,
quam diuitiarum. Quæ qui-
dem contemnere & pro
nihilò ducere comparan-
tem cum utilitate com-
muni, magni animi &
excellsi est. Detrahere
autem alteri sui commo-
di causa magis est con-
tra naturam, quam mors
quam dolor, quam cæ-
tera generis eiusdem. I-
temque magis est secundum
naturam pro omnibus
gentibus (si fieri possit)
conseruandis aut iuuandis
maximos labores, mole-
stiasque suscipere, imitan-
tes Herculem illum quæ
hominum fama benefi-
ciorum memor in confi-
lio cœlestium colloca-
uit: quam viuere in soli-
tudine non modo sine
vllis modestijs, sed etiam
in maximis voluptatibus
abundantem omnibus co-
pijs, vt excellas etiam
pulchritudine & viribus.
Quocirca optimò quisque
splen-

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splendissimoq; ingenio longè illam vitam huic anteponat. Ex quo efficitur, hominem naturæ obedientem, hominino-ccere non posse.

Deindè, qui alterum violat, vt ipse aliquid cōmodi consequatur, aut nihil se existimat contra naturam facere, aut magis fugiendā censet mortem, paupertatem, dolorem, amissionem etiam liberorum, propinquorum, amicorum, quàm facere cuiuspiam iniuriam. Si nihil existimat cōtra naturam fieri hominibus violandis, quid cum eo differas, qui omnino hominem ex homine tollat? Sin fugiendum id quidem censet, sed multò illa peiora mortem, paupertatem, dolorem, erat in eo, quod vllum aut corporis aut fortunæ vitium, animi vitij grauius existimat.

Ergo vnum debet esse omnibus propositum,

best and most noble disposition preferring that life far before this: wherof it comes to passe, that a man obedient to Nature cannot hurt a man.

Furthermore, who so wrongeth another that himselfe may get some commoditie, eyther beleeues that he doth nothing against Nature, or wēnes that he should shun death, pouerty, sorrow, the losse also of Childzen, Kinsfolk, friends, rather then the doing of intury to any man. If he thinketh nothing to be done against Nature, in wronging of men. What should you reason with him which cleane takes away man from man? But if he plainely thinketh that morte to be auoyded, & yet these he deēmeth much worse than death, pouerty sorrow, he is in this point out of the way, that he taketh any discomfort, eyther of the body or of fortune to be soxer, then the bices of the minde.

Therefore there must be in all men one entent, that

that a like may be the profit of every free man, and of all vniuersally. Which profit if each man plucke vnto himself, all mans fellowship shal be dissolued. And if nature doth also poynt this, that man would haue men provided for, whatsoeuer he be, yet euen for the same respect because he is a man, it must needs follow, that according to the same nature, the profit of all be in common. Which if it be so, we all be contained in one, and the like law of nature. And if the same be so, doubtlesse by the law of nature, we are forbidden one to wrong another.

Now, the antecedent is true, therefore true also is the consequent. For that verely is reasonlesse, that some say from their parent or brother, they wil take nothing away, for cause of their owne profit, but of other citizens that there is another respect to be had. These be in opinion, that they haue no law nor fellowshippe to keepe with

vt eadem sit vtilitas vnius cuiusque & vniuersorum : quam si ad se quisque rapiat, dissoluetur omnis humana consortio . Atque si etiam hoc natura præscribit, vt homo homini quicunque sit, ob eam ipsam causam, quod is homo sit, consultum velit : necesse est secundum eandem naturam, omnium vtilitatem esse communem. Quod si ita est, vna continemur omnes, & eadem lege naturæ. Idque ipsum, si ita est, certè violare alterum, naturæ lege prohibemur.

Verum autem primum, verum igitur & extremum. Nam illud quidem absurdum est, quod quidam dicunt, parenti se aut fratri nihil detracturos commodi sui causa. Sed aliam rationem esse ciuium reliquorum. Hi sibi nihil iuris aut nullam societatem communis vtilitatis causa

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statuunt esse cum ciuibus : quæ sententia omnem societatem distrahit ciuitatis.

Qui autem ciuium rationem dicunt esse habendam, externorum negant, hi dirimunt communem humani generis societatem : quæ sublata, beneficentia, liberalitas, bonitas, iustitia funditus tollitur. Quæ qui tollunt, etiam aduersus deos immortales impij iudicandi sunt, ab his enim constitutam, inter homines societatem evertunt : cuius societatis arctissimum vinculum est, magis arbitrari esse contra naturam hominem communi detrahere sui commodi causa, quam omnia incommoda subire vel externa vel corporis, vel etiam ipsius animi, quæ vacent in iustitia. Hæc enim vna virtus, omnium est domina & regina virtutum.

Citizens, for a common profits sake, which opinion doth rip a sunder all the societie of a Citie.

And they that say there must regard be had of citizens, and none of foreigners, doe ring a sunder the common fellowship of mankind, which being destroyed, all bountefulnesse, liberality, goodnesse, and iustice, is utterly rooted vp, which who so take away, euen toward the Gods immortall, are to be counted irreligious. For such do ouerthrow the fellowship by them among men ordained. Of the which fellowship the surest bond is to thinke it to be more against Nature, for one man to vse extortion to another, for his owne profits sake, then to suffer all discommodities, either outward, or of the body, yea, or of the minde : which happen without iust deserving. For this vertue Justice, of all vertues is the Ladye and Quene.

Peraduenture

Peradventure some wil say, shall not then the wise man, if he be driven by famine, take away meate from another man good for nothing? no doubtlesse. For my life is no more profitable to me, then such a disposition of minde that I wrong no body for my profits sake.

What if a good man could spoile the cruell and beastly Tyrant Phalaris of his clothing, that he should not die for colde himselfe? might he not doe it? these be full easie to iudge. For if you take ought from a man on no behalfe profitable, for loue of your owne commoditie: ye shall doe wickedly & against the law of nature: but if you be the man, who may bring much profit vnto the Common weale, and the fellowship of men, if you remaine as you are: in case ye take away ought from another, vpon this consideration: it is not to be reprobued, but if the matter standeth not euen so, euery man must rather bear his owne discommoditie,

Forſitan quispian dixerit nonne igitur sapiens ſi fame ipſe conficiatur, abſtulerit cibum alteri homini ad nullam rem vtili? minimè verò, non enim mihi eſt vita mea vtilior, quam animi talis affectio, neminem vt violẽm commodi mei gratia.

Quid ſi Phalarim crudelem tyrannum & immanem vir bonus, ne ipſe frigore conficiatur, veſtitu ſpoliare poſſit, non ne faciat? Hæc ad iudicandum ſunt facillima. Nam ſi quid ab homine ad nullam partem vtilitatis tuæ cauſa detraxeris, inhumanè feceris, contraq; naturæ Legem. Sin autem iſtu ſis, qui multam vtilitatem reip. atq; hominum ſocietati, ſi in vita remaneas, afferre poſſis: ſi quid ob eam cauſam alteri detraxeris, non ſit reprehendendũ. Sin autẽ id nõ ſit eiufmodi, ſuum cuiq; incommodũ ferendũ eſt,

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potius quàm de alterius commodis detrahendū. Non igitur magis est contra naturam morbus aut egestas, aut quid eiusmodi, quàm detractio atq; appetitio alieni. Sed communis utilitatis derelictio contra naturam est: est enim iniusta.

Itaq; lex ipsa nature, quæ utilitatē hominam conseruat & cōtinet, discernit profectō, vt ab homine inorti, atq; inutili ad sapientem, bonum, fortemq; hominem transferrantur res, ad viuendū necessariæ, qui si occiderit, multum de communis utilitate detraxerit: modo hoc ita faciat, vt ne ipse de se bene existimans, seseque diligens, hanc causam habeat ad iniuriam. Itaque semper officio fungatur utilitati consulens hominum & ei, quàm sepe commemo, humanae societati. Nam quod ad Phalarim attinet, persacile iudicium est.

then pull away of anothers commodities. Sicknes then or pouerty, or any such like, is not more against nature, then extortion and greedines of another mans goods. But to leaue alone the common profit, is against nature, for it is vnjust.

Therefore the very law of nature, which preserueth & maintaineth mens profite, appointeth without doubt, that from the idle & vnprofitable man, necessary things to liue with, be conuered to the wise, the good & the manly man, who if he should die for want, should draw away with him much of the Common profit: & yet so he must doe it, that neither by ouerworking in himselfe, nor loosing of himselfe too well, he make this a preenced colour to doe wrong. Therefore he wapes let him doe his duty, providing for the profite of men, and that fellowship among men, which I oftentimes repeate. For as touching Phalaris case, the iudgement is hereby easie.

For with tyrants we haue
no societie, but rather be
at extreame dissention with
them, neither is it against
nature to spole him if we
can, whom it is honest to
kill, and all such pestilent &
wicked rabbles are to be
driven out of the companies
of men. For even as certain
limmes be cut off, if they once
begin both to lack bloud and
life, (as you would say) and
also do hurt the other parts
of the Bodie: so this sa-
uagenesse and cruelnesse of
a beast, vnder the shape of
a man, must be parted (as
it were) from the common
naturalnesse of a mannes
Bodie.

Of this sort be all those
questions wherein dutie is
sought out by circumstance
of time. Such matters
therefore I beleeue Panæti-
us would haue treated of, had
not some chance or businesse
prevented his purpose. Con-
cerning which manner of tar-
ning of aduise ment, in my
bookes before, many things
be sufficiently taught, by

Nulla enim nobis cum
tyrannis societas est, sed
potius summa distractio:
neq; est contra naturam
spoliare eum si possis,
quem honestum est ne-
care. Atq; hoc omne ge-
nus pestiferum atq; im-
pium ex hominum com-
munitate exterminandū
est. Est enim, vt membra
quædam amputantur, si
& ipsa languine & tan-
quam spiritu carere cœ-
perunt, & nocent reli-
quis partibus corporis:
sic ista in figura hominis
feritas & immanitas be-
læ à communi tan-
quam humanitate cor-
poris segreganda est.

Huius generis questio-
nes sunt omnes eæ, in
quibus ex tempore offi-
cium exquisitur. Eius-
modi igitur credo res
Panætium persecutum
fuisse, nisi aliquis casus
aut occupatio consilium
eius peremissit. Ad quas
ipsas consultationes, ex
superioribus libris satis
multa præcepta sunt,
quibus

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quibus perspeci possit, which it may bee perceived, quid sit propter turpitudinem fugiendum, quid sit id, quod ideirò fugiendum non sit, quia omnino turpe non sit, what is to bee auoyded for dishonestie, & what is not to be shunned, because it is not dishonest.

Sed quoniam operi inchoato, prope tamen absoluto, tanquam fastigium imponimus, vt Geometrae solent non omnia docere, sed postulare, vt quaedam sibi concedantur, quò facilius quæ volunt explicent: sic ego à te postulo, mi Cicero, vt mihi concedas si pates, nihil præter id, quod honestum sit, esse propter se expetendum. But forasmuch as of our worke begunne, yet almost ended, (now as who sayth) wee set on the roffe, as the Geometers are wont not to proue all, but to require that certaine things be graunted them, to the intent they may more easly set out their purpose: so doe I require of you my Cicero, that ye graunt me, if ye may, that nothing but that which is honest, is for it selfe to bee desired. Sin hoc non licet propter Cratippum, at illud certe dabis, quod honestum sit, id esse maxime propter se expetendum. But if it may not be graunted, because of Cratippus, yet this no doubt you will graunt me, that the thing which is honest, is chiefly for it selfe to bee desired. Whether ye will, is enough for me, and both the one and the other seemes the more prouable, neyther any thing else appeareth prouable.

Ac primum Panæus in hoc defendendus est, quòd non vitia cum And. first in this point Panæus is to bee defended, because he said not, that profitable

profitable things any time
strive with honest (for it
was not lawfull for him so
to say) but those which seeme
profitable might strive with
honesty. But he often wit-
nesseth, that nothing is pro-
fitable, which same is not
honest, nor honest which
same is not profitable: and
he denieth any greater pe-
ssilence to haue crept into
mans life then their opinion
who haue diuided these two
a sunder. Therefore hee
brought in the repugnance,
which did seeme to be, and
was not indeede: not that at
any time we should preferre
profitable things before ho-
nest: but that without error
we might discern them, if
euer they fell in place.

This part therefore left
vntouched, we will supply
with no others ayde, but
(as they say in warre) euen
with our owne force: For
touching this parcell, there
hath bene, since Panxtius
wrote, nothing set out that
liketh me, of all that euer
came to our hands.

honestis pugnare aliquā-
do posse dixerit (neque
enim ei fas erat) sed ea
quæ viderentur vtilia.
Nihil verò vtile quod
non idem honestum:
nihil honestum quod
non idem vtile sit saepe
testatur: negatque vl-
lam pestem maiorem in
vitam hominum inua-
sisse quàm eorum opi-
nionem, qui ista distrax-
erint.

Itaq; non vt aliquan-
do anteponeremus vti-
lia honestis, sed vt ea si-
ne errore dijudicaremus
si quando incidissent,
induxit eam, quæ yde-
retur esse, non quæ esset,
repugnantiam.

Hanc igitur partem
relictam explebimus,
nullis adminiculis, sed
(vt dicitur) Marte no-
stro. Neque enim quic-
quam de hac parte post
Panxtium explicatum
est, quod mihi quidem
probaretur de ijs, quæ
in manus meas vene-
runt.

Cùm

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Cum igitur aliqua species utilitatis obiecta est, nos commoueri necesse est: sed si, cum animum attenderis, turpitudinem videas adiunctam ei rei quæ speciem utilitatis attulerit, tunc non utilitas requirenda est: sed intelligendum, vbi turpitude sit, ibi utilitatem esse non posse. Quod si nihil est tam contra naturam, quam turpitude (recta enim & conuenientia & constantia natura desiderat aspernaturque contraria) nihilque tam securidum naturam, quam utilitas: certe in eadem re vtili turpitude esse non potest. Itemque si ad honestatem nati sumus, eaque aut sola expetenda est ut Zenoni est visum: aut certe omni pondere grauior habenda, quam reliqua omnia, quod Aristoteli placet: necesse est quod honestum sit, id esse aut solum aut summum bonum: quod

Therefore when any shew of profit is offered vs, we must needes be stirred: but if when we giue good heede, you see dishonesty ioyned with that thing which bringeth a shew of profit, then the profit is not to be desired, but we must thincke, where dishonesty is, there profit cannot be. Now, if nothing there be so much against nature as dishonestie, (for nature doth desire good and conuenient and steadfast things, and despiseth the contrary:) and againe, there is nothing so according to nature as profit, doubtlesse in the same profitable thing, dishonestie cannot be. And also, if we be borne to honestie: and it is eether onely to be desired, as to Zeno it seemed, or in all estimation, is to be counted of more value, than all other things, as pleaseth Aristotle, it must needes be, that the thing which is honest, is eether the onely or soueraigne good, and what so

so is good, the same doubt-
lesse is profitable. And so all
that is honest, is profitable.
Wherefore when the error
of men not honest, hath
caught hold of somewhat that
seemeth profitable, by & by it
divides the same from hone-
sty. Hereof murthers, here-
of poisonings, hereof coun-
terfait wils do spring, here-
of felony, hereof robbing the
treasury, pillage & extor-
tions from league friends, &
citizens, hereof groweth the
power of tow exceeding ri-
ches, not to be suffered, and
finally in free Cities, there
be the desires of ruling,
wheras nothing either more
cruell then they, or more de-
testable can be imagined.
For with deceivable eyes
they see the gaine of things,
but the punishment I will
not say, of the lawes which
they often breake through,
but of dishonesty it selfe,
which is worst of all, they
see not.

Wherefore let such takers
of aduise ment be driuen from
among vs (for they are

autem bonum id certé
utile. Itaque quicquid
honestum, id utile. Qua-
re error hominum non
proborum cum aliquid,
quod utile visum est,
arripuit id continuo se-
cernit ab honesto.

Hinc sicæ, hinc ve-
næna, hinc falsa Testa-
menta nascuntur: hinc
Furta, Peculatus, ex-
pilationes, direptiones,
que Sociorum & Ci-
uium: hinc opum ni-
miarum potentia non
ferenda, postremo eti-
am in liberis Ciui-
tatibus existunt regnan-
di cupiditates: quibus
nihil nec tetrius, nec
fædius excogitari po-
test. Emolumenta enim
rerum fallacibus, iudi-
cijs vident, pœnam
non dico Legum, quas
sæpe perumpunt, sed
ipsum turpitudinis, quæ
acerbissima est, non vi-
dent.

Quamobrem hoc
quidem deliberandi ge-
nus pellatur è medio
(est

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(est enim totum scel-
raturum & impium) qui
deliberant vtrum id se-
quantur quod honestum
esse videant, an se sci-
entes scelere contami-
nent. In ipsa enim dubi-
tatione facinus inest, e-
tiam si ad id non per-
uenerint. Ergo ea deli-
beranda omnino non
sunt, in quibus est turpis
ipsa deliberatio.

Atque etiam ex omni
deliberatione celandi, &
occultandi spes opinio-
que remouenda est. Sa-
tis enim nobis (si modò
in Philosophia aliquid
profecimus) persuasum
esse debet, si omnes
deos hominesque celare
possimus nihil tamen a-
uare, nihil iniuste, nihil
libidinosè, nihil incon-
tinenter esse faciendum.
Hinc ille Gyges induci-
tar à Platone, qui cùm
terra discessisset magnis
quibusdam imbribus, in
illum hiatus descendit,
ægeumque equum (ut
ferunt fabulæ) animad-

altogether wicked and un-
godly) who vse aduise-
ment whether they may follow
that which seemes to bee
honestie, or wittingly staine
themselues with dishonesty.
For in the very doubting a
great fault ther is, although
they neuer come to the doing
of it. Therefore those things
are not to bee aduised on at
all, in which the very taking
of aduise-ment is dishonest.

And also in all delibera-
tion, the hope and opinion
of concealing and hiding of
matters is to be put away.
For fully (in case we haue
any whit profited in Philo-
sophie) we ought to be per-
swaded, though we could
hide it from all gods and
men, that nothing yet coue-
touslie, nothing vniustly,
nothing wantonly, nothing
vnstayedly is meete to be
done. Herebpon that Gyges
is brought in by Plato, who
when the earth had opened
in certaine great stormes
went downe into the gaping
hole, & spied a brazen horse
(as the fables tell) in whose
ides

sides were dwoyes, which be-
 ing opened he saw the corse
 of a dead man, of an vnwon-
 ted hugeness, and a golde
 ring vpon his finger, which
 as soone as he pulled of, he
 put it on his owne finger
 (this Gyges was the kings
 shepheard) then he got him-
 selfe againe to the company
 of shepheards. There when
 he had tourned the head of
 the ring toward the palme
 of his hand, he was seene of
 no body, yet he saw euery
 thing, and he was seene a-
 gaine when he had turned
 the ring in sight. And so v-
 sing this vantage of the ring
 he lay with the Queene, and
 by her aid he slew the King
 his master, & made dispatch
 of them whom he thought to
 stand in his way, neither
 could any man see him being
 about these mischeuous deeds.
 So by the commodity of his
 ring, he became suddenly king
 of Lidia. This same ring the
 if a perfect wise man should
 haue he would thinke it no
 more lawfull for him to of-
 fend, than if he had it not.

uertit, cuius in lateribus
 fores essent, quibus a-
 pertis, hominis mortui
 vidit corpus magnitudi-
 ne inusitata, annulumq;
 aureum in digito, quem
 vt detraxit, atque ipse in-
 duit (erat autem regius
 pastor) tum in consilium
 pastorum se recepit: ibi
 cum palam eius annuli
 ad palmam conuerterat,
 à nullo videbatur, ipse
 autem omnia videbat:
 idem rursus videbatur,
 cum in lucem annulum
 inuerterat. Itaq; hac o-
 portunitate annuli vius,
 reginæ stuprum intulit:
 eaq; adiutrice regem do-
 minum interemit, sustu-
 litque quos obstare ar-
 bitrabatur, nec in his
 quisquam eum facinori-
 bus videre potuit: sic re-
 repente annuli beneficio
 rex exortus est Lidia.
 Hunc igitur ipsum an-
 nulum si habeat sapiens,
 nihilo plus sibi licere
 putet peccare, quam si
 non haberet. Honestum
 enim

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enim bonis viris, non occulta quaeruntur. Atq; hoc loco philosophi quidam, minime mali illi quidem, sed non satis acuti, fictam, & commenticiam fabulam dicunt prolatam à Platone, quasi verò ille aut factum id esse, aut fieri potuisse defendat. Hæc est vis huius annuli & huius exempli: si nemo sciturus, nemone suspicaturus quidem sit, cum aliquid diuitiarum, potentiae, dominationis, libidinis causa feceris: si id dijs hominibusque futurum sit semper ignotum, sis ne factururus? Negant id fieri posse, quamquam non potest id quidem. Sed quaero, quod negant posse, si id posset, quidnam facerent? Vrgent sanè rusticè: negant enim posse, & in eo perstant. Hoc verbum (si) quid valeat, non vident. Cum enim quaerimus, si possint celare, quid facturi

for honest things not secret things, by good men be sought. And in this place certaine philosophers and those not of the worst, but yet not all of the finest, say, that Plato told a fained and deuised fable, as though he defendeth, that eyther the thing was done, or was possible to be done. This is the effect of this ring and of this example: if no man should know, or no man should once suspect, when you should doe any thing for regard of riches, power, rule or lust, yea if it should be vnknowne for euer both of God and man: whether you would do it or no. They deny it possible to befall, and although it cannot so befall indeede, yet I demaund, in case that might befall which they deny to be possible, what would they doe? They force on grosely in good smeth. For they hold, it is vnpossible, and theretu they stay still.

What this word (if) importeth, they see not. For when we demaund, if they be

be able to conceale, what they will doe, we doe not demaund whether they be able to conceale it or no, but we lay before them, as it were, the rack, and certaine manicles, that if they anſwere, they would doe what them ſeemed, being ſure to ſcape ſcottes, they confeſſe themſelves to be wicked: if they ſay they would not, they graunt all diſhoneſt things for themſelves moſt to be eſchewed. But now let vs returne to our purpoſe.

There do oftentimes befall diuers matters, which trouble mens mindes vnder a ſhew of profit, not when this is aduiſed vpon whether honeſty is to be left for the greatneſſe of profit (for that plainly is wicked) but whether the thing which ſomewhat profitable may be done with out diſhoneſty.

When Brutus take away the rule from Collatinus Tarquinus, his office fellow, he might haue bene thought to do it vniuſtly, for in driving out the kings, he had bene

ſint: non querimus, poſſint ne celare: ſed tanquam tormenta quædam adhibemus: vbi reſponderint ſe impunitate propoſita facturos, quod expediat, facinorosos ſe eſſe fateantur: ſin negent, omnia turpia per ſe ipſa fugienda eſſe concedant. Sed iam ad propoſitum reuertamur.

Incidunt ſæpe multe cauſæ, quæ perturbant animos vtilitatis ſpecie, non cum hoc deliberaretur, relinquenda ne ſit honeſtas propter vtilitatis magnitudinem (nam id quidem improbum eſt) ſed illud, poſſit ne id, quod vtile videatur, fieri non turpiter.

Cum Collatino Tarquinio Collegæ Brutus imperium abrogabat: poterat videri, facere id iniuſte, fuerat enim in Regibus expellendis Socius Bruti
S. conſiliorum

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Consiliorum & adiutor.

Cum autem consilium hoc principes coepissent? cognationem Superbi, nomenq; Tarquiniorum, & memoriam regni esse tollendam, quod erat vtile patriæ consulere, id erat ita honestum, vt etiam ipsi Collatino placere deberet. Itaque utilitas valuit propter honestatem, sine qua ne utilitas quidem esse potuisset.

At in eo rege, qui Urbem condidit, non ita. Species enim utilitatis animum impulit eius, cui cum visum esset, vilius solum se, quam cum altero regnare, fratrem interemit. Omisit hic & pietatem & humanitatem, vt id quod vtile videbatur, neque erat, assequi posset: & tamen muri causam opposuit speciem honestatis, nec probabilem, nec satis idoneam.

Brutus assistant, and ayder also of his counsels.

But when the rulers had agreed thus in counsell, that the kindred of Superbus, and the name of the Tarquinians, and the memory of the kingdome should be viterly driuen out, because it was profitable to provide for ther country, & same was in such wise honest, that euen very Collatinus ought to haue liked it. And so profit preuailed, because of honesty, without which, profit could not haue bene at all. But with the king, who builded this Citty, it fared not so. For a shew of profit strake in his minde, to whom when it appeared moze profitable for him to rule alone then with another he slew his brother. This man forgot both godlines, & naturalnes that he might obtain & thing that seemed profitable, & was not so indeed, & yet his brothers leaping ouer the wall he allendged, for a colour of honesty, neyther allowable, nor sufficient enough.

De

He offended therfore, that by
Quirinus, or Romulus his fa-
uor I may say it. Notwith-
standing we ought not to
league our own commodities,
and giue them to other, when
our selues do neede the same,
but euery man must serue
his owne profit so farre, as
without anothers iniurie it
may be done. Feately saide
Chrysippus in this, as he did
in many things more, who so
quoth he runneth in the race
ought to endeauour & labour
as much as he may that him-
selfe may win the game, but
in no wise he ought to tripp
him, with whom he runs, or
to keepe him off with his hand.
So in this life it is not un-
lawfull for euery man to get
himselfe that may serue his
use, but to pull from all o-
ther it is not right.

But most of all duties he
put out of order in friend-
ships, in the which it is a-
gainst dutie, both not to doe
that rightfully you may,
and to doe that is not law-
full. But of all this matter a
short & no hard rule ther is,

Peccauit igitur, pace
vel Quirini vel Romuli
dixerim. Nec tamen
nostræ nobis vtilitates
omittendæ sunt, alijs-
que tradendæ, cum his
ipsi egeamus: sed iux-
tæ cuiusque vtilitati, quod
sine alterius iniuria fiat,
seruendum est. Scitè
Chrysippus, vt multa:
Qui stadium (inquit)
currit, eniti & contene-
dere debet, quam maxi-
mè possit, vt vincat:
supplantare eum, quicum-
q; ceteris, aut manu, de-
pellare nullo modo de-
bet. Sic in vita sibi quen-
que petere, quod per-
tineat ad vltum, non ini-
quum est alteri deripere,
ius non est.

Maximè attem per-
turbantur officia in a-
micitijs, quibus & non
tribuere, quod rectè pos-
sis, & tribuere, quod non
sit æquum, contra offi-
cium est. Sed huius ge-
neris totius breue & non
difficile præceptum est.

S 2

Quæ

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Quæ enim videntur
vtilia, honores, diuitiæ,
voluptates, cæteraquæ
generis eiusdem, hæc
amicitiæ nunquam an-
teponanda sunt.

Ac neque contra Rem-
publicam, neque contra
iururandum, ac fidem
amici sui causa vir bo-
nus faciet, ne si iudex
quidem erit de ipso ami-
co. Ponit enim perso-
nam amici, cum induit
iudicis. Tantum dabit
amicitiæ, vt veram ami-
ci causam esse malit, &
vt orandæ liti tempus,
quoad per Leges li-
ceat, accommodet. Cum
verò iurato dicenda
sententia sit, memine-
rit, Deum se adhibere
testem, id est, (vt ego
arbitror) mentem suam,
qua nihil homini dedit
Deus ipse diuinius.

Itaque præclarum à
Maioribus accipim' mo-
rem rogandi iudicis (si
eum teneamus) quæ
salua fide facere possit.

For these which seeme
profitable, honours, riches,
pleasures, and other of the
same kinde, are neuer to be
preferred afoze friendshippe.
And a good man for his
friends sake, neyther will
do against the cōmon weale,
neither against his oath and
promise, no not though he
shall be iudge vpon his own
friend. For he puts off the
parsonage of a friend, when
he takes vpon the person of
a iudge. Thus much he shall
leane to friendship, that he
had rather his friends cause
were true, and that he will
graunt him time thzoughly
to plead his cause, as much
as by the law he may. But
when by his oth he is to giue
sentence, he must remember
he taketh God to witnesse,
that is to meane (as I sup-
pose) his conscience, for no-
thing moze godlike then it is
hath God himselfe giuen to
man. Therefore of our ances-
stours we haue receiued a
goodly manner of desiring
fauor of a iudge, if we would
keepe it: To do what he may
sauing

saving his oath. This request is referred to those things, which a little before is said might honestly be granted by a Judge to his friend. For if all things should be done which friends would desire, such were to be counted, not amities, but conspiracies. I speake now of common friendships. For in men wise and perfect, there can be no such thing. Men say that Damon and Pithias, the Pythagorians, were so affectioned one toward another, that when Dyonisius the tyrant had appointed, one of them his dying day, and he who was condemned to die, had required certaine dayes of respite for the disposing of his things: the other became bound body for body, for his forth coming, upon condition that if he returned not at his day, he would himselfe dye for him: who when at his day he was come againe, the tyrant wondering at their faithfullnesse, required that they would take him in for

Hæc rogatio ad ea pertinet, quæ paulo antè dixi, honestè amico à iudicè posse concedi. Nam si omnia faciendæ sint, quæ amici velint, non amicitia tales, sed coniurationes putandæ sint. Loquor autem de communibus amicitijs, nam in sapientibus viris atque perfectis, nihil potest esse tale. Damonem & Pithiæ Pythagoreos Merunt hoc animo inter se fuisse, vt cum eorum alteri Dionisius tyrannus, diem necis destinasset, & is qui morti addictus esset, paucos sibi dies commendandum suorum causa postulauisset: vas factus est alter eius sistendi: vt si ille non reuerisset ad diem moriendum esset ipsi.

Qui cum ad diem se recepisset, adstratus eorum fidem tyrannus petiuit, vt se in amicitiam tertium ascriberent.

S 2

Cum

De Officijs.

Cum igitur id quod utile videtur in amicitia, cum eo, quod honestum est, comparatur, iaceat utilitatis species, valeat honestas. Cum autem in amicitia, quæ honesta non sunt, postulabuntur: religio & fides anteponantur amicitiae. Sic habebitur is, quem exquirimus, delectus officij. Sed utilitatis specie in Republica sepius peccatur, ut in Corinthi disturbance nostris.

Durius etiam Athenienses qui statuerunt, ut Eginetis, qui classe valebant, pollices præciderentur. Hoc visum est utile, nimis enim imminabat propter propinquitatem Ægina Piræo. Sed nihil, quod crudele, utile. Est enim hominum natura, quam sequi debemus, maxime inimica crudelitas.

Malè etiam, qui peregrinos Urbibus uti

the third in their friendship, when therefore that which in friendship seemeth profitable is compared with y^e which is honest, let the shew of profit yield, & honesty prevail. But when in friendship those things shall be required which be not honest, let religion and brightness be preferred before friendship, and so shall that choise of duty be had, which we seeke after. But vnder the shew of profit, in the common weal, there is oftentimes doing amiss, as our men did in the razing of Corinth.

Sozer also dealt the Athenians, who made a decree, that the Eginets thōbs, who were skilled in navigation, should be cut off. This was thought profitable: for Ægina did too much overtake Piræum, by reason of the nere bordering. But nothing that is cruell is profitable. For to mans nature, which we ought to follow, cruelty is most enemy.

They also doe euill, who barre strangers from using their

their Citty, and doe banish them, as did Pennus in our fathers dayes, and Papius of late yeres.

For one to goe for a citizen who is no Citizen, it is reason it should not be lawfull, the which law the very wise Consuls, Crassus and Scauola did make: for to forbidde straungers the vse of the Citty, it is doubtlesse an vnciuill part. Those doings be notable, wherein shew of common profit is dispised, in respect of honesty. Our common weal is full of examples, both often at other times, & chiefly in the second Punicke war, which after the overthrow taken at Cannas, had greater courages then euer in prosperitie, no token there was of feare, no mention of peace. So great is the force of honesty, that it dimmeth the shew of profite.

When the Athenians no way were able to withstand the assault of the Persians, and were determined, that leauing the citty, and setting

prohibent, eosque exterminant: vt Pennus, apud patres nostros, Papius nuper.

Nam esse pro ciue, qui Ciuis non sit, rectum est non licere, quam uoluerunt legem sapientissimi consules Crassus & Scauola, vsu uero urbis prohibere peregrinos, sanè inhumanum est. Illa præclara sunt, in quibus publicæ utilitatis species præ honestate contemnitur. Plena exemplorum est nostra Respublica, cum sæpe alias tum maxime bello Punico secundo, quæ Cannensi calamitate accepta maiores animos habuit, quàm quàm rebus secundis. Nulla fuit timoris significatio, nulla mentio pacis. Tanta vis est honesti, ut speciem utilitatis obscurat.

Athenienses cum Persarum impetum nullo modo possent sustinere, statuerentque, ut urbe relicta, coniugibus & liberis

De Officijs.

liberis Træzene depo-
sitis, naues conscende-
rent, liberalitatemque
Græciæ classe defende-
rent, Cyrillum quen-
dam sua dentem vt in
vrbe manerent. Xerxem-
que reciperent, lapidi-
bus obruerunt. Atq; ille
sequi vilitatem videba-
tur: sed ea nulla erat
repugnante honestate.
Themistocles post vi-
ctoriam eius belli, quod
cum Persia fuit, dixit in
concione se habere con-
siliū Republicæ sa-
lutare, sed id secreti opus
non esse, postulauit vt
aliquem populus daret,
quo cum communicaret.
Datus est Aristides.
Huic ille, classem Lace-
dæmoniorum, quæ sub-
ducta esset ad Gythe-
um, clam incendi posse
quo facto frangi Lace-
dæmoniorum opes ne-
cesse esset. Quod Ari-
stides cum audiisset, in
concionem magna ex-
pectatione venit: dixitq;

their Wines and Children
in Trozen, they would take
their ships and defend the
libertie of Greece with their
naue, one Cyrillus they bo-
ned to death, who perswa-
ded with them to keepe still
the citie and receiue Per-
ses. And he seemed to fal-
low profit: but that was
none, where honestie gain-
ed it. Themistocles after
the victory of that battaile,
which was holden with the
Persians, saide in the open
assembly, that he had weales-
satt counsell for the state,
but it was not expedient, it
should be openly known,
he required that the people
should assigne some man, to
whom he should tell it. Aristi-
des was appointed. He told
him the state of the Lace-
dæmonians, which was con-
ueyed to Gythem, might
easily be set a fire, by which
ate the Lacedæmonians
strength should of necessity
be abated. Which thing
when Aristides heard, he
came to the open assembly,
with their great expectation,
and

and said it was very profitable counsell, which Themistocles did giue, but nothing honest.

Therefore the Athenians, the thing that was not honest, did not account profitable at all, and being aduertised by Aristides, they reiected the whole matter, which they had not once heard. Better did they then wee doe, who haue Pirates banished, & league friends tributarie. Let this therefore stand for a conclusion, that the thing which is not honest, is neuer profitable: no not euen then, when wee attaine the thing which you reckon to be profitable. For the same to thinck profitable which is dishonest a miserable case it is.

But oftentimes (as I said before) there so befall cases, when profit seemeth to strue against honesty, that is to be considered whether altogether it doth gaine stand it, or may be made agree with honesty. Of I kinde be these questions, if for examples sake, a good man departing

perutile esse consilium, quod Themistocles afferret, sed minimè honestum.

Itaque Athenienses quod honestum, non esset, id ne vtile quidem putauerunt: totamque eam rem, quam ne audierant quidem, auctore Aristide repudiauerunt. Melius hi quàm nos, qui Piratus impunes, socios victigales habemus.

Maneat ergo, quod turpe sit, id nunquam esse vtile: ne tum quidem, cum id, quod esse vtile putes adipiscare. Hoc enim ipsum vtile, putare, quod turpe sit, calamitosum est.

Sed incidunt (vt supra dixi) sæpe causæ, cum repugnare vtilitas honestati videatur: vt animaduertendum sit, repugnet ne plane, an possit cum honestate coniungi. Eius generis hæc sunt questiones. Si exempli gratia, vir bonus

De Officijs.

ab Alexandria profectus Rhodum magnum frumenti numerum aduexerit in Rhodiorum inopia, & fame, summaque annonæ caritate, si idem sciat complures mercatores Alexandria soluisse, nauesque in cursu frumento onustas, petentes Rhodum viderit: dicturus ne sit id Rhodijs, an silentio suum quam plurimo venditurus? Sapientem & bonum virum fingimus, de eius deliberatione & consultatione quærimus: qui celaturus Rhodios non sit, si id turpe iudicet, sed dubitet, an turpe non sit. In huiusmodi causis, aliud Diogeni Babilonio videri solet magno & graui Stoico, aliud Antipatro discipulo eius homini accuratissimo. Antipatro omnia patefacienda, vt ne quid omnino, quod venditor norit, emptor ignoret. Diogeni, venditorem quatenus

from Alexandria, shall bring to Rhodes a great quantitie of corne in the time of scarcitie and famine, and extreame dearth of corne among the Rhodians, in case the same man know, that many Merchants be already set forth from Alexandria, & saw their ships fraughted with corne, in their course making toward Rhodes, whether he ought to declare it to the Rhodians, or with silence should sell his owne for as much as he might. We put the case hereof a wise & good man, touching his deliberation & taking of aduise ment, we question who would not hide it from the Rhodians, if he thought it dishonest: but he doubteth whether it be dishonest or no. In such like cases, one thing Diogenes the Babilonian, a great & graue Stoike is wont to thinke, another thing Antipater his scholler, a very sharp witted man. Antipater holdeth that all must be opened that, the buyer be ignorant of no manner thing, which the seller knoweth

knoweth. Diogenes saith, the seller ought to tel the faults, that as farre as is appoynted by the ciuill law, & the rest to doe without deceits, and seeing he selleth, to desire to the best aduantage to sell. Whether haue I brought it, I haue set it forth to sale, I sell mine for no more then other do, perchance also for lesse, seeing I haue greater store, to whom is the wrong done? There groweth a disputation by Antipater, of the contrary side, what go ye about? Sithens ye are bound to profit men, & to serue the fellowship of men, and ye are bozne vnder such a law, that ye should keepe those principles of nature which ye ought to obey, & alwaies to follow, that your profit should be common profit, againe, & as well, common profit, should be yours: will you hide from men both what commodity & what store also is at hand for them: Diogenes peraduenture, will answer thus: It is not all one thing to hide from men, and to hold ones

iure ciuili constitutum sit, dicere vtilia oportere, cetera sine insidijs agere: & quoniam vendat, velle quàm optimè vendere. Aduexi, exposui, vendo meum non pluris quàm ceteri, fortassè etiam minoris, cùm maior est copia, cui sit iniuria?

Exoritur Antipatri ratio ex altera parte. Quid agis? tute cùm hominibus consulere debeas & seruire humanæ societati: eaque lege natus sis, vt eas habeas principia naturæ, quibus parere, & quæ semper sequi debeas, vt vtilitas tua communis sit vtilitas, vicissim & æque communis vtilitas tua sit: celabis homines, quid his adsit commoditatis & copię? Respondit Diogenes fortassè sic: Aliud est celare, aliud tacere, neque ego nunc te celo si tibi non dico

De Officijs.

dico: quæ natura De-
orum sit, quis sit finis
bonorum: quæ tibi
plus prodesse cognita,
quàm tritici vtilitas.
Sed non quicquam tibi
audire vtile est, id mihi
dicere necesse est. Im-
mò verò, inquit ille,
necesse est, si quidem
meministi esse inter ho-
mines natura coniu-
ctam societatem. Memi-
ni inquit ille: sed num
ista societas talis est, vt
nihil suum cuiusque sit?
Quod si ita est, ne
vendendū quidem quic-
quam est, sed donan-
dum.

Vides in hæc tota
disceptatione non illud
dici quamuis hoc turpe
sit, tamen quoniam ex-
pedit faciam, sed ita ex-
pedire, vt turpe non sit.
Ex altera autem parte,
ea re quia turpe sit, non
esse faciendum. Vendat
ides vir bonus propter
aliqua vitia, quæ ipse
norit, cæteri ignorent:

peace, neither do I now hide
it from you, though I tell ye
not, what is the nature of
goods, what is the end of good,
which things well known,
would profit you more, then
the cheapnesse of wheat. But
it is not necessary for me to
tell, whatsoeuer is profitable
for you to heare. Wes verely
saith hee, it is necessary, if so
be, you remember the fellow-
ship knit among men by na-
ture. I remember it saith the
other, but is this fellowship
such, that each man may haue
nothing of his owne. In
case it be so, nothing doubt-
lesse is to be sold, but to be
giuen.

Pou see, in all this con-
trouersie, this is not said,
though it be dishonest; yet
because it is profitable, I
will doe it, but that in such
wise it is profitable, as it is
not dishonest. And on the
contrary side, that therefore
it is not to be done, because
it is dishonest. But the case,
a good man sell a house for
certaine discommodities,
which he knoweth, and other
know

know not, set case it be contagious, and is taken for wholsome: be it so, it be unknownen, that in al the chambers doe appeare venemous creeping beasts, & that it is euill timbred, & ready to fall, but this none knoweth but the owner, I demaund, if the seller open not this to the buyers, & selles the house for much more then hee thought hee should haue done, whether he doth iustly or vnhonestly: he verely doth dishonestly, saith Antipater. For what other thing is it, than not to shew the wanderer his way (which at Athens was forbidden vpon paine of common curses) if this be not it? to suffer the buyer to rush suddenly and run headlong by error into a great deceit: yea it is more, than not to show a man the way. For it is wittingly to lead one out of the way into a false beliefe.

Diogenes replyeth againe, did he compel ye to buy, who not once moued ye to it? he set to sale that liked him not, you bought, that liked you.

pestilentes sint, & habeantur salubres: ignoretur in omnibus cubilibus apparere serpentes: malè materiata, ruinosæ. sed hoc præter dominum nemo sciatur: quædò si hoc emptoribus venditor non dixerit, ædesque venderit plurimulò, quàm se venditurum putarit: num id iustè aut improbè fecerit? Ille verò improbè, inquit Antipater. Quid enim est aliud erranti viam non monstrare (quod Athenis execrationibus publicis sancitum est) si hoc non est, emptorem pati & per errorem in maximam fraudem incurrere? plus etiam est quàm viam non monstrare: nam est scientem in errorem alterum inducere.

Diogenes contrà: num te emere coegit, qui ne hortatus quidem est ille quod non placebat proscriptis, tu quod placebat emisti. Quòd

De Officijs.

Quòd si qui pro-
scribunt villam bonam
beneq; ædificatam, non
existimantur fefellisse,
etiam si illa nec bona
est, nec ædificata ratio-
ne, multò minus qui do-
mum non laudarunt.
Vbi enim iudicium emp-
toris est, ibi fraus ven-
ditoris quæ potest esse?
Siu autem dictum non
omne præstandum est,
quod dictum non est
id præstandum putas?
Quid verò est stultius,
quàm venditorem eius
rei, quam vendat, vitia
narrare? Quid autem
tam absurdum, quàm si
domini iussu ita præco-
pædicet: domum pe-
stilentem vendo. Sic
ergo in quibusdam cau-
sis dubijs ex altera parte
defenditur honestas: ex
altera ita de utilitate
dicetur vt id, quod vile
videatur, non modò
facere honestum sit,
sed etiam non facere,
turpe.

If they who offer to sell
a good farme, and well buil-
ded as they set it out, be not
thought to haue decepued,
although it be neither good
nor well builded, much lesse
then they, who haue not
praysed their house. For
where the buyers eye is his
Chapman, there what de-
ceit can there be of the sel-
ler: and if euery saying is
not to be perfourmed, thinck
ye that maete to be perfour-
med, that was not sayde?
But what is more foolish
then the Seller to tell the
faults of the thing, which
he puts to sale? And what
so fonde a hearing is there,
as if at the owners com-
maundement, the cryer thus
should make a noyse? I haue
a contagious house to sell.
Thus therefore in some
doubtfull cases, of the one
part is honestie defended, of
the other part ther is speak-
ing of profit, that it is not
onely honest to doe, but also
dishonest not to doe it, that
seemeth profitable.

Edm

This is that dissention which seemeth often to befall between profitable things; a honest, which points are to be discussed. For we haue not set them forth to make questions, but to open them.

We thinke then, neither that same Rhodbean cozne-marchant, nor this house-seller ought to haue hidden the foresaid things from the buyers. For whatsoeuer you keepe in silence, yet doe not fully so much, as it is to hide, but when, for your profit's sake, yet would haue those ignorant of that you know, whom it stands vpon to know it. Now this kind of hiding of what nature it is, & what manner of man who seeth not? Doubtlesse it is a part not of a plaine, not of a simple, not of a gentle, not of a iust, not of a good man: but rather of a subtil witted, close, wily, deceitfull, guilefull, crafty, forlike, and a very doubler.

These so many, and other moe names of vices to enter into is it not vnprofitable?

Hæc est illa, quæ videtur, vitium fieri cum honestis sæpe dissensio. Quæ dijudicanda sunt. Non enim vt quereremus exposuimus, sed vt explicaremus.

Non igitur videtur nec frumentarius ille Rhodius, nec hic ædium venditor celare emptores debuisse. Neque enim id est celare, quicquid reticeas, sed cum quod tu scias, id ignorare emolumenti tui causa velis eos, quorum intersit id scire. Hoc autem celandi genus quale sit, & cuius hominis quis non videt? Certè non aperti, non simplicis est, non ingenui, non iusti, non viri boni: versuti potius, obscuri, astuti, fallacis, malitiosi, calidi, veteratoris, vafri.

Hæc tot & alia plura, non nè inutile est vitiorum subire nomina?

Quod

De Officijs.

Quod si vituperandi sunt, qui reticuerunt, quid de ijs existimandum est, qui orationis vanitatem adhibuerunt? C. Cannius eques Romanus, homo nec infacetus, & satis literatus, cum se Syraculas otian-di (vt ipse dicere solebat) non negotiandi causa contulisset, dictabat se hortulos aliquos velle emere, quod inuitare amicos, & vbi se oblectare sine interpellatoribus posset. Quod cum percrebuisset, Pithius quidam, qui argentariam faceret Syraculis, dixit venales quidem se hortos non habere, sed licere vti Cannio si vellet, vt suis, & simul ad cenam hominem in hortos inuitant in postremum diem. Cum ille promississet, tum Pythius vt argentarius, quiesceret apud omnes ordines graciosus, piscatores ad se conuocauit, & ab ijs petiuit,

If they bee dispraise wor-
thy, who haue held they
peace: what is to be thought
of those who haue vsed a
vainnesse of talke. Caius
Cannius, of the Equestri-
al order in Rome, a man not
vnpleasant, and wel enough
learned, when hee had got
him to Syracula, euen for
pleasure, and not for busi-
nesse (as hee was wont to
tell) hee bruted, that hee
would buy some place of
pleasure, whether hee might
bid his friends, & where hee
might delight himselfe with-
out troubles. Which when
it was spred abroad, one Pi-
thius who kept a bank of ex-
chaunge at Siracusa, sayd,
that he had indeed a pleasant
plot, howbeit not to sell, yet
Cannius if it pleased him,
might vse it as his own, and
therewith bad him to supper.
Against the next day, when
hee had promised, then Pythi-
us like a banker who was
well in fauour with all de-
grées, called vnto him cer-
taine ffishermen, and re-
quyred them, that the next
day

day they would fish before
his ground, and tolde them
what he would haue them
doe.

Cannius came at his tyme
to Supper. Sumptuously
there was prepared a num-
ber of Fisherboats were be-
fore their eyes. Each man
for his part, brought that
he had taken. The fish was
powred downe at Pythius
fete. Then quoth Cannius
I pray you Pythius, what
is this, that there is so great
store of fish, so goodly a sort
of Boates: what meruaille?
quoth he againe: for whatso-
euer fish ther is about Sira-
cusa, it is in this place: here
is the watering place, this
ground these citizens cannot
well spare. Cannius kindled
with desire to it, was earnest
with Pythius, that he would
sell it him: he made it strange
at the first, what need many
words? He obtaineth it, the
man being in loue with it,
& rich, bought it for so much
as Pythius would aske: and
bought it furnished, he put-
teth in sueries, and makes

vt ante suos hortulos
postidie piscarentur:
dixitque quid eos facere
vellet.

Ad coenam tempore
venit Cannius. Erat opi-
rare à Pythio appa-
ratum conuiuium, Cym-
barum ante oculos
multitudo, pro se quis-
que quod ceperat affe-
rebat, ante pedes Pi-
thij, pisces abicieban-
tur. Tum Cannius: que-
so inquit, quid est O
Pythi, tantumne pisci-
um, tantumne Cymba-
rum? Et ille. Quid
mirum? inquit, hoc loco
est, Syraculis quicquid
est piscium, hæc aqua-
tio hac villa isti carere
non possunt. Incensus
Cannius cupiditate, con-
tendit à Pithio, vt ven-
deret: grauati ille pri-
mo.

Quid multa? Im-
petrat: emit homo cu-
pidus & locuples, tanti
quanti Pithius voluit &
emit instructos, nomi-
na facit, negotiū conficit

T

Inuitat

De Officijs.

Inuitat Cannius postri-
diē familiares suos : ve-
nit ipse maturē scalmum
nullum videt, quærit
ex proximo vicino, num
feriæ quædam piscato-
rum essent, quod eos
nullos videret. Nullæ
(quod sciam) inquit
ille, sed hîc piscari nulli
solent, itaque heri mira-
bar, quid accidisset. Sto-
michari Cannius, sed
quid faceret? nondum
enim Aquilius collega
& familiaris meus, pro-
tulerat de dolo malo
formulas in quibus ip-
sis cū ex eo quereretur
quid esset dolus malus,
respondebat, cū esset
aliud simulatum, aliud
actum. Hoc quidem sanè
luculentur, vt ab homine
perito definiendi. Ergo
& Pithius & omnes ali-
ud agentes, aliud simu-
lantes, perfidi, improbi,
madiiosi sunt. Nullum
igitur factum eorum
potest vtile esse, cū
sit tot vitij inquin-
tum.

by the bargaine, Cannius the
next day desired his acquaint-
tance thether, and came him-
selfe betimes: he saw neuer a
boat: he enquired of his next
neighbour, whether it were
not some holy day with the
fishermen, because hee saw
none of them. None that I
know, quoth hee, but here
none of them are wont to
fish: & therfore yester day I
meruailed, what chance was
befalne. Cannius begun to
chafe, but what could hee do?
For as yet Aquilius my office
fellow and familiar, had not
set forth the cases that should
bee counted couine. In the
which same, when I deman-
ded of him, what was Co-
uine: hee answered, when
one thing was pretended,
& another done. This doubt-
lesse was very plainely an-
swered, as of a man skilful
in defining. Therfore both
Pithius, and all that doe one
thing, & pretend another, bee
false, wicked and guilefull.
No deede then of theirs can
be profitable, when it is with
so many faults bespotted.

It

If Aquilius definition bee true, out of al mans life must fals pretending & dissembling be banished. So euery good man shall neither falsly pretend nor dissemble, that hee may buy or sell the better. And this couine also was punishable by the lawes: as Deceitfull gardenship in the twelue tables, and crafty beguiling young men of their goods, by the law Lectorian, and without law by iudgements, where the bill is put in vpon good conscience: but of all other Iudgements, these words be most notable that be of course in a case of arbitrement of marriage, the better, the iuster, & in a case of trust or confidence. That among honest men there bee honest dealing. What then? either in that which is the better, the iuster: can ther be any point of couine, or when it is said among honest men, let there be honest dealing, can any thing deceitfully or guilfully be done? but couine (as saith Aquilius) is contayned in fained pretence and dissimulation.

Quod si Aquilinia definitio vera est, ex omni vita simulatio, dissimulatioque tollenda est. Ita nec vt emat melius, nec vt vendat, quicquam simulabit aut dissimulabit vir bonus. Atque iste dolus malus etiam legibus erat vindicatus, vt tutela XII. tabulis, & circumscriptio adolescentium lege Lectoria, & super lege iudicij, in quibus ex fide bona additur. Relinquentium autem iudiciorum haec verba maxime excellunt in arbitrio rei uxoris, melius, aequius, in fiducia, vt inter bonos bene agier.

Quid ergo? aut in eo, quod melius aequius est, potest vlla pars inesse fraudis? aut cum dicitur inter bonos bene agier, quicquam agi dolose aut malitiose potest? Dolus autem malus, simulatione & dissimulatione, (vt ait Aquilius) continetur.

T 2

Tollendum

De Officijs.

Tollendum est igitur in rebus contrahendis, omne mendacium. Non licitatore venditor, nec qui contra se licetur, emptor apponit, vterque si ad eloquendum venerit, non plus quam semel cloquetur. Quintus quidem Scævola, Publius filius, cum postulasset, ut sibi fundus, cuius emptor erat, semel indicaretur, idque venditor ita fecisset, dixissetque se pluris æstimare, addidit centum millia. Nemo est, qui hoc viri boni fuisse neget, sapientes negant: ut, si minoris quam potuisset, vendidisset. Hæc igitur est illa pernicies quod alios bonos, alios sapientes existimant. Ex quo Ennius.

Ne quicquam sapere sapientem.

Qui sibi ipsi prodesse nequeat.

All lying therefore in making of bargaines is utterly to be excluded. Let not the seller set a raiser of the price against the buyer, let not the buyer set one that may lower the price againe for him. If they both come to communication, they shall talke but once of the matter. When Quintus Scævola, Pub. sonne had required that the price of the ground, whereof hee was a cheper should once be shewed him, & the seller had so done, he said, he valedwed it more worth, and gaue him more by 25 hundred crowns. There is no man that can deny but this was the part of a good man, a wise mans part they deny it to be, euen as if the other should haue sold it for lesse, then he might haue gotten. This therefore is the mischiefe, because they reckon good to be one sort, and wise of another. Whereupon quoth Ennius.

The wise man his wit very vaine he may call,

If profit hee cannot himselfe therewithall.

It

It were true indeed, if I agreed with Ennius what it is to profit. I see Hecato the Rhodian, Panætius scholler, said in those booke which of duties he wrote to Quintus Tubero, that it is a wise mans part, doing nothing against customes, lawes, & ordinances, to haue a respect to his substance. For we couet not onely for our selues to be rich but for our children, our kinsfolke, our friends, and specially for the common weale. For the substance and wealth of every free man, is the richnesse of a City. Sceuolaes doing, wherof I spake a little before, can in no wise like Hecato, for Sceuola viterly denyeth, that he will doe ought for his owne gaine sake, that is not lawfull. To this man neither great praise or thank is to be giuen. But whether both false pretending & also dissembling, be couine or no, few matters there be, wherein this couine hath not to doe, and whether he be a good man, who profits whō

Verè id quidem, si quid esset prodesse, mihi cum Ennio conueniret. Hecatonem quidem Rhodium discipulum Panætij video, in ijs libris, quos de officijs scripsit. Quinto Tuberoni dicere, sapientis esse nihil contra mores, leges, instituta facientem habere rationē rei familiaris. Neque enim solum nobis diuites esse volumus, sed liberis, propinquis, amicis, maximèque Reip. Singulorum enim facultates, & copiae, diuitiae sunt ciuitatis. Huic Seenolæ factum (de quo paulò antè dixi) placere nullo modo potest. Etenim omnino se negat facturum compendij sui causa quod non liceat. Huic nec laus magna tribuenda est, nec gratia. Sed siue simulatio & dissimulatio dolus malus est: perpaucæ res sunt, in quibus dolus iste malus non versetur. Siue vir bonus est is, qui prodest quibus potest,

De Officijs.

nocet nemini, rectè iustum virum, bonum non facile reperiemus. Nunquam, igitur est vitale peccare, quia semper est turpe: & quia semper est honestum virum bonum esse, semper est vitale.

Ac de iure quidem prædiorum sanctum est apud nos iure civili, ut in his vendendis vitia etiam dicerentur, quæ nota essent venditori. Nam cum ex XII. tabulis satis esset tantum ea præstari, quæ essent lingua nuncupata, quæ qui inficiatus esset duplicem poenam subiret; a iuris consultijs etiam retinentiæ poena est constituta. Quicquid enim est in prædio vitij id statuerunt, si venditor sciret, nisi nominatum dictum esset, præstari oportere. Ut cum in arce augurium Augures facturi essent, iussissentque

he may, & hurts no body, full wel a iust man, but not lightly a good man we shall finde. It is neuer profitable then to do euill, because it is euermore dishonest, and because it is alwaies honest to be a good man, it is alwayes profitable.

And surely touching the title of land, it is ordayned with vs by ciuill law, that in selling of it, the faults also should be told, which were known to the seller. For whereas by the twelue tables it was sufficiently provided: that those things should be performed which were declared in word: which who so would deny, should forfait double damages: there was also by the Judges of the law a payne set for concealement. For whatsoever fault were in the land, if the seller knew it, except expressly hee had declared it, they decreed, that it ought to be made good. As when in the Tower the Augures were about their prophesying by foule flight: and had commaunded

commaunded Titus Claudius Centumalus, who had houses in mount Celie, to pull those downe, whose height should let the prophesying: Claudius did set them to sale, and sold the Island, Publius Calphurnius Lanarius bought it.

He was commaunded the very same by the Augures, and so when Calphurnius had pulled them downe, and understood, that Claudius had set the houses to sale, after he had bene commaunded of the Augurs to pull them downe, he draue him to arbitrement. For all that he ought in that case to recompence him of good conscience. Marcus Cato this our Catoes father, made the award. For as others are named from their fathers: so this, who begat such a starre, is to be named from his sonne. He therefore as iudge gaue sentence thus, & seeing he knew the thing, at the putting of it to sale, and did not declare it, he ought to render the super his damages.

Titum Claudium Centumalum, qui ædes in Celio monte habebat, demoliri eas quorum altitudo officeret auspicij: Claudius proscripsit insulam, vendidit: emit Publius Calphurnius Lanarius.

Huic ab Auguribus illud Idem denunciatum est. Itaque Calphurnius cum demolitus esset, cognouissetque Claudium ædes postea proscripsisse, quam esset ab Auguribus demoliri iussus: ad arbitrum illum adegit: quicquid sibi dare facere oporteret ex fide bona. Marcus Cato sententiam dixit (huius nostri Catonis pater) Vt enim cæteri ex patribus, sic hic, qui illud lumen progenuit, ex filio est nominandus. Is igitur iudex ita pronunciauit: cum in vendendo rem eam scisset, & non pronunciauisset, emptori damnum præstari oportere.

T 4

Igitur

De Officijs.

Igitur ad fidem bonam statuit pertinere, totum esse emptori vitiū, quod nosset venditor. Quod si rectè diiudicauit, non rectè frumentarius ille, non rectè ædium pestilentium venditor tacuit.

Sed huiusmodi reticentiæ Iure Ciuili omnes comprehendere non possunt: quæ autem possunt, diligenter tenentur. Marcus Marius Gratidianus propinquus noster Caio Sergio Oratæ vendiderat ædes eas, quas ab eodem ipse paucis ante annis emerat. Hæ Sergio seruiebant, sed hoc in mancipio Marinus non dixerat, adducta res in iudicium est. Oratam Crassus, Gratidianum defendebat Antonius. Ius Crassus urgebat, quod vitium venditor non dixisset, sciens id oportere præstari: æquitatem Antonius, quoniam id vitium ignotum

Hæ therefore iudged it stood with good conscience, that the fault which the seller knew, should be knowne to the buyer. That and if hæ gaue a true iudgement neyther well did the corne-marchant afoze, neither well did this contagious house seller in holding his peace.

But such manner of concealments cannot all be comprehended in the ciuill law, but such as may be perfectly contained. M. Marius Gratidianus our kinsman, had sold to C. Sergius Orata that house, which hæ had bought of him a few yeeres befoze. This house did a certayne seruice to Sergius, but Marius had not declared the same, in the liuery lease. The matter was brought to the Law, Crassus pleaded for Orata, Antonius for Gratidianus, Crassus stood vpon the letter of the law because the seller knowing the discommodity had not tolde it, that it ought to be made good, Antonius enforced the equity of the Law, because that discommodity was not vnknowne

unknowne to Sergius, who had sold the same house, that it was nothing needfull to be declared, and that he was not deceiued, who vnderstood of what title it was that he had bought. To what purpose tends al this? That ye may perceiue that couine liked not our Ancestours.

But one way the lawes condemn couine, an other way the Philosophers: the lawes, as far as by open deede they can gather vpon matters, the Philosophers, as far as by reason and vnderstanding they can comprehend. Reason therefore requireth this, that nothing subtilly, nothing fainedly, nothing deceitfully be done. Is it then any deceite, to pitch the toyle, although you goe not about to rouse, nor chase the game? For the very game lights vpon it oftentimes, when no body follows them. So when you offer your house to sale, you set vp your bil, as a net, you sel the house because of the faults, some body haps vpon it vnware

Sergio non fuisset, qui illas edes vendidisset, nihil fuisse necesse dici: nec eum esse deceptum qui id quod emerat, quo iure esset, teneret. Quorsum hæc? vt illud intelligas, non placuisse maioribus nostris astutos.

Sed aliter leges, aliter Philosophi tollunt astutias. Leges, quatinus manu tenere possunt: Philosophi quatenus ratione & intelligentia. Ratio igitur hoc postulat, ne quid insidiosè, ne quid simularè, ne quid fallaciter. Sunt nè igitur insidiæ tendere plagas, etiam si excitaturus non sis bestiam, nec agitur? Illè enim ferè nullo insequente in eas sæpe incidunt. Sic tu cū ædes proscribas, tabulam tanquam plagam ponas, domum propter vitia vendas, in eam aliquis incurrat imprudens: hoc quam

De Officijs.

quam video propter deprauationem consuetudinis neque more turpe haberi, neque aut lege sanciri, aut iure ciuili : naturæ tamen lege sanctum est.

Scocietas enim est, (quod etsi sæpe dictum est, dicendum tamen est sæpius) latissimè quidem quæ pateat omnium hominum inter homines, interior eorum, qui eiusdem Gentis sunt, propior eorum, qui eiusdem ciuitatis. Itaque maiores aliud ius gentium, aliud ius ciuile esse voluerunt. Quod enim ciuile, non idem continuè gentium, quod autem gentium, idem ciuile esse debet. Sed nos veri iuris, germanæque iustitiæ solidam & expressam effigiem nullam tenemus, vmbra & imaginibus vtimur : eas ipsas vtinam sequeremur. Feruntur enim ex optimis naturæ, &

of them, though I see this through corruption of vse, neither by custom is counted dishonest, neither by ordinance, or ciuill law of decrees yet by law of nature it is forbidden. For ther is a fellowship of men amongst men (which thing although it hath ben oftentimes spoken of, yet oftner it must be spoken) which indeed very largely extendeth : and a nearer there is of those, who be of one nation, and a nearer of them who be of one Citie. Therefore our auncestours would needs haue the law of nations to be one thing, and the ciuill law another. For what so is the ciuill law, the same is not consequently the law of nations, but what is the law of Nations, the same must needs be the ciuill law. But we keep no sound & expresse forme of very law & more iustice: we vse the shadow & images thereof: yea, & euen those same I would we did follow. For they be taken out of the best principles of nature, and patterns

of

of truth, for how precious be those words: That not by you, or your promise, I be snared or deceived: how golden words be those. That among good men, good dealing ought to be without deceiving. But who be good men, and what is good dealing? it is a great question.

Quintus Sceuola the chiefe bishop said, there was great substance of matter in all those arbitrements, in which there should be treating according to good conscience, and the name of good conscience he iudged to reach very far: and that it had to doe in gardenships, companies, matters of trust, commaundements, things bought, sold, hyred, and let out: by which the fellowship of māns life is vpholden. In these things he said, it was the office of a great Judge to determine, what each man should doe to another, specially seeing the iudgements in most men be contrary one to another.

veritatis exemplis. Nam quanti sunt verba illa. Vt ne propter te, fidei tue tuam, captus fraudatusue sim? quam illa aurea? Vt inter bonos bene agere oportet & sine fraudatione. Sed qui sunt boni, & quid sit bene agere, magna questio est.

Quintus quidem Scæuola Pontifex maximus, summam vim esse dicebat in omnibus ijs arbitrijs, in quibus adderetur ex fide bona. Fideique bonæ nomen existimabat manare latissime idque versari in tutelis, Societatibus, fiducijs, mandatis, rebus emptis, venditis, conductis, locatis, quibus vitæ societas continetur. In his magni esse iudicis, statuere (presertim cum in plerisque essent iudicia contraria) quid quemque cuique præstare deberet.

Quo-

De Officijs.

Quocirca, astutiae tollendae sunt, eaq; malitia, quae vult illa quidem videri se esse prudentiam, sed abest ab ea, distatque plurimum. Prudentia est enim locata in dilectum bonorum & malorum. Malicia si omnia, quae turpia sunt, mala sunt, mala bonis anteponit. Nec verò in praedijs solum ius civile ductum à natura malitiam, fraudemque vindicat, sed etiam in mancipiorum venditione venditorum fraus omnis excluditur. Qui enim scire debuit, de sanitate, de fuga, de furtis, praestat edicto Aedilium.

Hæredum alia causa est. Ex quo intelligitur, quoniam iuris naturae sit: hoc secundum naturam esse, nimenem id agere, vt ex alterius praeditur inscientia. Nec vlla pernicies vitae maior inueniri potest, quam in malitia simulatio in-

Wherefore couine must bee vttery auoyded, and that willesse which will needes haue it selfe seeme to be prudence, but it is far from it, & differs very much. For prudence is placed in the choice of good & euill. Willesse if all things be euill which be dishonest, preferreth euill before good. And not onely in matters of land, the ciuill law that hath his originall of nature, doth punish willesse & couine, but also in the sale of slaues & nieses, all couine of the sellers is forbidden: for he that should haue knowen of theit helthfulnes, of their fugitiuenes of their thieuenes, doth make satisfaction by the Ediles decrees.

Otherwise is the case of inheritors. Whereof is done to vnderstand, because nature is the fountaine of law, that this is according to nature, that no man go about by anothers ignorance to make his owne gaine. For any greater destruction of mans life can bee found, then of a willesse, falsly to dissemble ones

nes vnderstanding. Where of those innumerable inconueniences doe grow, that profitable things seeme to fight with honest. For how many will be found, who being sure to be free from punishment and knowledge of all men, can refrain from doing wrong? Let vs make a pꝛoue (if it please you) in those examples, wherein the common sort of men perhaps doe not thinke they do amisse. For it falleth not in this place to speake of murderers, popsoners, wilfongers, thæues and robbers of the common treasure, who not with words and reasonings of Philosophers, but with chains and pꝛisonment are to be punished. But these things let vs consider, which they doe who be accounted good. Certaine men brought out of Græce to Rome a counterfeit Will of Lucius Minusius Basilius, a very rich man, and to the intent they might the easlyer pꝛoue it they did put in as heirs with them M. Crassus, & Quintus

telligentia. Ex quo illa innumerabilia nascuntur vt vtilia cū honestis pugnare videātur. Quotus enim quisque reperietur, qui impunitate & ignoratione omniū proposita abstinere possit iniuria? Periclitemur (si placet) & in ijs quidem exemplis, in quibus peccari vulgus hominum fortasse non putat.

Nec enim de sicarijs, veneficis, testamentarijs furibus, peculatoribus hoc loco differendum est, qui non verbis sunt & disputatione Philosophorum, sed vīculis & carcere castigandi. Sed hæc consideremus, quæ faciunt ij, qui habentur boni. Lucij Minutij Basilij locupletis hominis falsum Testamentum quidam è Græcia Romam attulerunt. Quod quò facillius obtinerent scripserunt hæredes secum Marcum Crassum & Quintum Horten-

De Officijs.

Hortensium, homines eiusdem ciuitatis potentissimos, quicū illud falsum esse suspicarentur, sibi autem nullius essent conscij culpe, alieni facinoris munusculum non repudiauerunt.

Quid ergo? satius hoc est, vt non deliquisse videantur? Mihi quidem non videtur: quanquam alterum amari viuū, alterum non odi mortuum. Sed cū Basilis Marcum Satyrium sororis filium nomen suū ferre uolisset, eūque fecisset heredem, hunc autem dico patrōnū agri Piceni & Sabini (ō turpem notam temporū illorū) non erat æquū principes ciuitatis rem habere, ad Satyrium nihil præter nomen peruenire. Etenim si is, qui non defendit iniuriā, neque propulsat à suis cum potest, iniuste facit, vt in primo libro disserui: qualis habendus

Hortensius, men of most power in the same Citie. Who when they suspected it to be forged, and were not guilty of any fault in their owne conscience they refused not the prey reward of another falshood.

What say we then? Is this enough that they seeme not to haue done any fault? To me truely it seemes not so: although the one I loued being aliuē, the other I hate not being dead: But when Basilis would haue had M. Satirius his sisters sōne to beare his name, and had made him his heire, I meane him who was protectour of the Country of Picene and Sabine. (O shamefull staine, in those dayes) it was not reason, that the rulers of the Citie had the goods, and nothing but the name descended to Satirius. For if he that doth not fence off iniurie, & keepe it away from his, when he may, both vniustly: as in my first Booke I haue disputed: what manner a man

is hee to bee counted, who not onely doth not fence off but also furthereth an iniurie? And true inheritance also seemes to me not honest if it bee purchased be wily flattering Duties: and not by truth, but by false faining. But in such cases, one thing is wont sometime to seeme profitable, another honest, yet vntruely it so seemeth: for alike is the rule of profite, as of honesty, who seeth not this: no guile, no mischief shall faile in him. For thus imagining, this in deede is honest, but this is profitable: hee will take vpon him by error to sunder things coupled together by nature, which is the wellspring of all deceits, wicked deedes, and mischiefes. Therefore if a good man haue such power that if hee do but beck with his finger, his name may creep into the testament of the rich, let him not vse this power: no not though he know for certainty, that no man at al wil once mistrust it.

estis, qui non modò non repellit, sed etiam adiuvat iniuriam? Mihi quidem etiam verè hereditates non honestæ videntur, si sint maliciosi blanditijs officiorum, non veritate, sed simulatione quæsitæ. Atque in talibus rebus aliud vtile interdum, aliud honestum videri solet. Falsò. Nam eadem vtilitatis quæ honestis est regula: qui hoc non prouiderit, ab hoc nulla fraus aberit, nullum facinus: Sic enim cogitans, est illud quidem honestum, verum hoc expedit: res à natura copulatas audebit errore diuellere, qui fons est fraudum, maleficiorum, scelerum omnium. Itaque si vir bonus habeat hanc vim, vt si digitis concrepauerit, possit in locupletum testamenta nomen eius irreperere, hac vi non vtatur: nec si exploratum quidem habeat, id omnino neminem vnquam suspicaturum.

At

De Officijs.

At si daret hanc vim Marco Crasso, vt digitorum percussione hæres posset scriptus esse, qui re vera non esset hæres, in foro (mihi crede,) saltaret. Homo autem iustus, isque, quem sentimus virum bonum, nihil cuiquam quod in se transferat, detrahet. Hoc qui admiratur, is se, quis sit vir bonus, nescire fatetur.

At verò si quis voluerit animi sui complicatam notionem euoluere: iam se ipse doceat, eum virum bonum esse, qui pro sit quibus possit, noceat nemini, nisi laesus iniuria. Quid ergo? hic non noceat, qui quodam quasi veneno perficiat, vt veros hæredes moueat, in eorum locum ipse succedat? Non igitur faciat (dixerit quis) quod vtile sit, quodque expediat? immò intelligat, nihil nec expedire, nec vtile esse quod sit iniustum, hoc

But if ye should giue this power to Marcus Crassus that with a becke of his finger, hee might be put in as heyre, being no heyre ended, he wold (belæue me) leape for toy in the open strêete. But a iust man, and he whom we count a good man, will catch nothing from any man, to cast it vpon himselfe. Who so hath wonder at this, he confesseth himselfe not to know who is a good man.

But if a man will vnfold the secret knowledge of his minde: by and by he may enforme himselfe, that hee is a good man, who doth good to whom he may, & hurteth no body, but prouoked by iniury. How then? doth hee not hurt another, who workes (as it were) with a certaine popson, that the true heyres he may displace, & make himselfe succede in their routine. May he not then do that, will some say, which is profitable, and which is auailable? May let him know that nothing neither auaileth, nor is profitable, which is vniust.

This

This who so hath not lea-
ned, cannot bee a good man.
I heard of my Father, when
I was a boy: that Fimbria
sometime Consul, was iudge
to Marcus Lucatius Pithias
one of the Equestriall order
of Rome, indeed honest, when
he had put in sureties, to an-
swer the action, if hee were
not found a good man: that
therefore Fimbria saide vnto
him, hee would neuer giue
iudgement of the case, least he
should either rob a tride man
of his good name, if hee had
iudged against him, or else
should seem to haue determi-
ned, that there is some good
man, wheras that thing con-
sisteth in duties & commen-
dations innumerable. To
this good man then, whom
also Fimbria, & not onely So-
crates had conceiued: can no
way ought appeare to be pro-
fitable, that is not honest.

Therefore such a man
will not bee so bold to do no
nor purpose any thing
which hee dare not auere. It
is not a shame for philosophers
to doubt in these things

qui non didicerit, bo-
nus vir esse non poterit.
Fimbriam consularem
audiebam de patre no-
stro puer, iudicem Mar-
co Lucatio Pythia fu-
isse equiti Romano, sa-
ne honesto, cum is ipon-
sionem fecisset, Ni vir
bonus esset. Itaque ei dix-
isse Fimbriam, se illam
rem numquam iudica-
turum: ne aut spolia-
ret fama, probatum ho-
minem, si contra iudi-
casset: aut statuisse vide-
retur virum bonum ali-
quem esse, cum ea res in-
numerabilibus officijs &
laudibus contineretur.
Huic igitur viro bono,
quem Fimbria etiam,
non modo Socrates no-
uerat, nullo modo vide-
ri potest quicquam esse
vile, quod non honestu
est.

Itaque talis vir non
modo facere: sed nec
cogitare quidem quic-
quam audebit, quod non
audeat predicare. Hoc
non est turpe dubitare

V

Philo-

De Officijs.

Philosophos, quæ ne rustici quidem dubitent? à quibus natum est id, quod iam tritum est vetustate prouerbum.

Cùm enim fidem alicuius, bonitatemq; laudant dignum esse dicunt, quodcum in tenebris micet. Hoc quam habet vim nisi illam, nihil expedire, quod non deceat, etiam si id possis nullo refellente obtinere? Vides ne igitur hoc prouerbio, neque Gygi illi posse veniam dari, neq; huic, quem paulò ante fingebam, digitorum percussione hæreditates omnium posse conuertere? Vt enim quod turpe est id quamuis occultetur, tamen honestum fieri nullo modò potest: sic quod honestum non est, id vtile vt sit, effici non potest, aduersante & repugnante natura. At enim cum per magna præmia sunt, est causa peccandi.

whereof the clownes of the Country doe make no doubt at all: from whom is sprung that prouerbe, which now is well woꝛne by continuance.

For when they praise any mans conscience & goodnes? they say he is such a man, as ye may play with him blindfold. What other meaning hath that, but this, that nothing is expedient, which is not comely although you may obtaine it without any mans resistance. Doe ye not see then by this Prouerbe, that neither the same Gyges can be boꝛne with, nor this other, whom ere while I fastned with the wagging of his finger to be able to turne to himselfe al mens inheritance? For as the things which is dishonest, although it be closely kept, can no way yet be made honest, so that thing which is not honest, cannot be brought to passe to be profitable, euen nature being against it, and withstanding it. But yet where very great bribes be, there is occasion of euill doing.

When

When Caius Marius was far off from hope of the Consulship, a seauen yeeres after his Pretorship, lay still, nor seemed as one, & euer would labour for the consulship: to the people of Rome, he accused Quintus Metellus a noble man and Citizen, whose ambassadour he was, when hee was sent to Rome from him being his captaine, how that hee prolonged the wars, and said, if they had made him Consull, he would in a short space haue brought Iugurtha, epyther quick or dead, into the subiection of the people of Rome. And so in dede hee was made Consull, but hee swarued from all trust & iustice, who by false accusation, brought in an enuy a very good and graue Cittizen, whose Ambassadour he was, and from whom he was sent.

No nor our Gratidianus, truely did the duty of a good man, when hee was Pretor, and the Tribunes of the people had called vnto them the company of the Pretors,

Caius Marius cum à spe consulatus longè abesset, & iam septimū annum post Præturam iaceret, neq; periturus, inquam consulatum videretur. Qu. Metellum cuius legatus erat, summū virum & Ciuem, cum ab eo imperatore suo Romanam missus esset, apud populum Romanum criminatus est, bellum illum producere: si se Consul fecissent, breui tempore aut viuū, aut mortuum Iugurtham se in potestatem populi Romani redacturum. Itaque factus est ille quidem Consul, sed à fide iustitiæque cessit: qui optimū & grauiissimum Ciuem, cuius legatus, & à quo missus esset, in inuidiam falso crimine adduxerit.

Nec noster quidē Gratidianus officio boni viri functus est, tunc cum Prætor esset, colligiumque Prætorum Tribuni plebis adhibuissent, et

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res nummaria de communi sententia constitueretur. Iactabatur enim temporibus illis numm⁹, sic vt nemo posset scire quid haberet. Conscripserunt communiter. Edictum cum poena, atq; iudicio: constitueruntque, vt omnes simul in Rostra post meridiem descenderent, & cæteri quidem alius aliò.

Marius à subfelijs in Rostra recta, idq; quod commûniter compositum fuerat, solus edixit, & ea res (si quæris) ei magno honori fuit: omnibus vicis statuæ factæ, ad eas thus & cærei. Quod multa? Nemo vnquam multitudini fuit charior.

Hæc sunt, quæ conturbant homines in deliberatione nonnunquam: cum id, in quo violatur æquitas, non ita magnum: illud autem quod ex eo paritur, permagnum videtur: vt

that there might bee set a standard of Coyne by the common consent. For in those dayes the mony was made so to fall & rise, that no man could know what hee had. They penned a decree by a common agreement vpon a payne of condemnation, and appointed that they altogether at afternone would goe down to Rostra, and then all the rest went each man his way. Marius from the Senatours bench got him straight to Rostra, & alone proclaimed that which by a common consent was made, & that thing if ye desire to know, was to him a great honour: in all the streets images were made him, & to the same offered was incense and lights of waxe. What neede many words? No man was there euer more beloued of the multitude. These bee the things which trouble men oftentimes, in taking of aduifement, when that thing wherein equitie is broken, is not counted so great, but that which is gotten by such dealing,

dealing, seemeth meruailous great, as to Marius it seemed not so dishonest to get away the peoples fauour from his fellows, and the Tribunes, but to bee made Consull for that doing, which then hee had set before his eye, it seemed very profitable.

But one rule there is of all, which I would fain haue you thoroughly to know, eyther that thing which seemeth profitable, let it not bee dishonest, or if it be dishonest let it not seeme profitable. What shal we then say: may we eyther take this Marius, or that other for a good man? Bend & straine your vnderstanding, to see what shape, forme, and image of a good man is in it. Doth it then commonly befall in a good man to lie for his profit, to accuse, to preuent or deceiue? Of a surety nothing lesse. Is ther then any thing so precious, or any gaine so much to bee desired, that ye should therefoze leese the gloze and name of a good manne? What is ther so much, that this profit

Mario præripere collegis & Tribunis plebis popularem gratiam, non ita turpe: consulem ob eam rem fieri, quod sibi tunc proposuerat, valde vtile videbatur.

Sed omnium vna regula est, quam cupio tibi esse notissimam, aut illud, quod vtile videtur turpe ne sit: aut si turpe est, ne esse vtile videatur. Quid igitur? possumus ne aut illum Marium virum bonum iudicare, aut hunc? Explicataque excute intelligentiam tuam, vt videas que sit in ea species, forma et notio viri boni. Cadit ergo in virum bonum mentiri emolumenti sui causa criminari, præripere fallere? Nihil profecto minus.

Est ergo vlla res tanti, aut commodum vllum tam expetendum, vt viri boni & splendorem & nomen amittas? Quid est, quod afferre tantum

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tantum vtilitas ista, quæ dicitur, possit, quantum auferre, si boni viri nomen eripuerit, fidem, iustitiamque detraxerit? Quid enim interest vtrum ex homine se conuertat quis in bellum: an in hominis figura immanitatem gerat bellæ? Quid qui omnia recta & honesta negligunt, dummodo potentiam consequantur? Nonne idem faciunt, quod is, qui etiam focerum habere voluit eum, cuius ipse audacia potens esset? Vtile enim videbatur ei plurimum posse alterius inuidia. Id quam iniustum in patriam, quam turpe quam inutile esset, non videbat. Ipse autem focer in ore semper Græcos versus Euripidis de Phœnissis habebat, quos dicam ut potero incondite fortasse, sed tamen ut res possit intelligi.

(as they call it) is able to bring vs, as it may pul from vs, in case it take away the name of a good man, & spoile vs of truth and iustice: for what difference is ther whether ones shape turn himsele from a man to a beast, or whether the forme of a man bears in him the brutish crueltie of a beast: what of them who set at naught all good & honest things, so they may attain to power, doe they not, euen as he did: who would needes haue him to his father in law, by whose bolde enterprises he might beare a sway, for to him it seemed profitable to be of much power by anothers enuy, but he saw not how vniust, how vnprofitable, how vnhonest it was for his country. But as for his father in law, he had alwayes in his mouth Euripides Greeke verses of the Phenicians, which I will expresse as well as I can: perchance without their grace, but yet so as the meaning may be conceiued.

If breach of lawes, a man
shall undertake,
He must them boldly breake
for kingdomes sake :
In each thing else, looke
you regard the right.

Nam si violandum
est ius.

Regnandi gratia vio-
landum est :

Alijs rebus pietatem
colas.

Haryous was the Etio-
cles or rather Euripides: who
excepted not only this, which
was most detestable. Why
do we then gather these tri-
fling cases as concerning in-
heritance, merchandise, & de-
ceitfull sale: nay behold him,
that sought to be king ouer
people of Rome, & all nati-
ons, and brought it to passe.

This kinde of desire, who
so counteth honest, he is not
well in his wit: for he allow-
eth the ouerthrow of law &
liberty, and the cruel and de-
testable oppression of them,
he reckes a glorious matter.
With what kind of chiding
then, or rating rather may I
attempt to turne him from
so great an error, who con-
fesseth, it is not honest to
raigne as king in that City
which both hath bene, and
ought to be free, and yet

Capitalis Etiocles vel
potius Euripides, qui id
vnum, quod omnium
sceleratissimum fuerat,
exceperit. Quid igitur
minuta colligimus here-
ditates, mercaturas, ven-
ditiones, fraudulentas?
Ecce tibi, qui rex populi
Romani, dominusque
omnium gentium esse
concupierit, idque per-
fecerit. Hanc cupidita-
tem si quis honestum es-
se dicit, amens est. Pro-
bat enim legum & liber-
tatis interitum, earumque
oppressionem tetram &
detestabilem, glorio-
sum putat. Qui autem
fatetur honestum non
esse in ea ciuitate, quae li-
bera fuit, quaeque esse
debeat, regnare, sed ei
qui id facere possit, esse
utile: qua hunc obiu-
gatione

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gatione, aut quo potius conuitio à tanto errore coner auertere? Potest enim (Dij immortales) cuiquam esse vtile foedissimum & teterri- mum parricidium patrie? quamuis, qui se eo ob- strinxerit, ab oppressis i- subus parens nominetur? Honestate igitur dirigen- da utilitas est & quidem sic, vt hæc duo verba in- ter se descrepare, sed ta- men vnum sonare vide- antur.

Nunc abeo ad vul- gi opinionem. Qua maior utilitas quam reg- nandi esse possit? Nihil contra inutilius ei, qui id. ~~aut~~ ^{aut} consecutus sit. Inuenio, cum ad ve- ritatē coepi renocare ra- tionem. Possunt enim cuiquam esse vtilēs an- gores, solitudines, di- urni & nocturni metus, vita insidiarum, pericu- lorumque, plenissima? Multi iniqui, atque in- fideles Regia.

accounts it profitable for him, that can bring it passe. For *¶* yee Gods immor- tall, can the most shamefull and cruell murther of a mā's own country be profitable? yea, though he that hath em- bzed himselfe in such blood, be cleaped of the oppressed subiects parent of the com- mon weale? Profit therfore is to be directed by honesty, & that so, as these two words may seeme to differ in them- selues in tearmes, and yet to sound all one in meaning.

Now to the opinion of the common people. What grea- ter profit can there be, then to raigne and to rule. Con- trarywise I finde nothing more vnprofitable for him, who iustly hath attained it, when I apply reason to the truth. For can griefs, cares, dayly & nightly feares, and a life full of snares and dan- gers be profitable to any man?

About the seeking after other many euill and faithlesse be.

But

But few good men, in such
a man shall lightly see.

quoth Attius.

But to which crowne?
The same, that from Tanta-
lus and Pelopes descending,
was by iust title possessed.

For how many more, think
ye, were vntrue, & vntrusty
to the king, who with an ar-
my of Roman people oppres-
sed the people of Rome, and
forced the cittie to be subiect
to him, which was not one-
ly free of it self, but also a ru-
ler of other nations. What
blots of conscience, suppose
ye, had he in his hart? What
wounds of remorse? But
whose life cannot be ought
worth to himselfe, when the
state of his life is such, that
who so takes it frō him shall
be in most fauour and fame?

In case these things bee not
profitable, which specially
seeme so to be, because they be
full of shame & reproch, we
ought now to bee fully per-
swaded, that nothing is pro-
fitable, which is not honest.

Notwithstanding the same,
both at diuers other times, &

Pauci boni sunt, in-
quit Attius.

At cui regno? quod à
Tantalo & Pelope pro-
ditum iure obtinebatur.
Nam quando plures ei
regi putas, qui cum ex-
ercitu Populi Romani
Populum ipsum Roma-
num oppressisset, ciuita-
temque non modo libe-
ram, sed etiam gentibus
imperantem seruire sibi
coëgisset? Hunc tu quas
conscientiæ lates, in a-
nimo sensus habuisse?
quæ vulnera? Cuius au-
tem vita ipsi potest vti-
lis esse, cum eius vitæ ea
conditio sit, vt qui illam
eripuerit, in maxima &
gratia futurus sit & glo-
ria? Quod si hæc vtilia
non sunt, quæ maximè
videntur, quia plena sunt
dedecoris ac turpitudi-
nis, satis persuasum esse
debet, nihil esse vtile,
quod non honestum
sit.

Quamquam id qui-
dem cum sæpe alias, tum
Pyrrhi

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Pyrri bello à C. Fabritio Consule iterum & à Senatu nostro iudicatum est.

Cùm enim rex Pyrrhus Populo Romano bellum ultro intulisset, cumq; de imperio certamen esset cum rege generoso ac potente, per fuga ab eo venit in Castra Fabritij, ciq; est pollicitus, si præmium ei proposuisset, se ut clam venisset, sic clam in Pyrrhi castra rediturum, & cum veneno necaturum. Hunc Fabritius reducendum curauit ad Pyrrhum: idque eius factum à Senatu laudatum est. Atqui si speciem utilitatis, opinionemq; querimus, magnum illud bellum per fuga vnus, & grauem aduersarium imperij sustulisset, sed magnum dedecus & flagitium: quicquid laudis certamen fuisset, cum non virtute, sed scelere superatum.

Vtrum igitur utilius

namely in the wars with Pyrrhus, was so adiudged by C. Fabritius in his second consulship, & also by our Senate. For when king Pyrrhus was prouoked, had moued war against the people of Rome, & the fight was all about the empire with the noble, and puissant prince, a runaway traitor went from him to Fabritius camp, & promised that if Fabritius would offer him a good reward, as he came privately, so he would return privately to Pyrrhus pavillion, and dispatch him with poison. Fabritius caused him to be carried back againe to Pyrrhus, & that deed of his was well commended of the Senate. But if we seeke the shew & respect of profit, true it is, this one runaway might haue made an end of the great war, and that grieuous enimie of the Empire, but it had bene a great shame and foule deede, to haue hadde him subdued, not by prowesse but by trechery, with whom the fight was all for glory. Whether then was it more profitable, either

either for Fabritius, who was such a one in our citie, as Aristides was at Athens, or for our Senate, who neuer seuered profit from honour, to war against their enimie with armes or with payson? If empire be to be sought for cause of glory, let treachery be eschewed, wherein can be no glory: againe, if riches be sought any manner way, they cannot be profitable, if they come with infamie. Therefore that aduise of Lucius Philippus Quintus sonne, was not profitable, that those cities which Lucius Scylla for a certaine sum of money, had discharged of tributes by decrees of the Senate should againe be tributary, & yet we should not restore them the money, which for their being free, they had disbursed. The Senate house agreed all with him. To slander it was to the government. For of Pirats better is the promise, then of the Senate. Yes, but the tributes (they will say) were thereby augmented, therefore it was profitable. How long

vel Fabricio, qui talis in hac vrbe qualis Aristides Athenis fuit: vel Senatus nostro, qui nunquam utilitatem à dignitate se iunxit, armis cum hoste certare, an venenis? Si gloria causa imperium expetendum est, scelus absit, in quo non potest esse gloria. Sin ipsæ opes expetuntur, quoquo modo non poterunt esse viles cum infamia. Non igitur utilis illa Lucij Philippi Quinti filij sententia, quas Ciuitates Lucius Sylla pecunia accepta ex Senatu C. liberauisset, vt hæc rursus vestigales essent: neque his pecuniam, quam pro libertate dederant, redderemus. Ei Senatus est assensus: Turpe imperio.

Pyratarum enim melior fides, quam Senatus. Atque aucta vestigalia. Vtile igitur. Quousque audebunt dicere quicquam

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quam vtile quod non honestum? Potest autem vlli imperio, quod gloria debet fultum esse, & beneuolentia sociorum, vtile esse odium & infamia? Ego etiam cum Catone meo saepe dissensi. Nimis enim mihi videbatur praefractè ærarium, vectigaliaque defendere, omnia publicanis negare, multa socijs, cum in hos benefici esse deberemus, cum illis sic agere, vt cum colonis nostris soleremus. Eodèque magis, quod illa ordinum coniunctio ad salutem Reipublicæ pertinebat, Malè etiam Curio, cum causam Transpadanorum æquam esse dicebat, semper autem addebat, vincat utilitas. Potius diceret, non esse æquam, quia non esset utilis Reipublicæ, quàm cum æquam esse diceret, non esse vilem fateretur.

will they be bold to call any thing profitable, that is not honest? can hatred & infamy be profitable to any state that shuld be vpholden with gloze, and good will of their legue friends? If my self oftē time haue disagreed euen wth my Cato: for ouerstifly me thought, he defended the treasury gain & tributes, & denied all manner of allowances to y^e farmers of our custome, & many to our legue friends, whereas toward these we should be beneficiall, and so deale with those, as we were wont to do with our citizēs, sent to inhabit new towne: & so much the moze, because the knitting together of those degrees of men did pertaine to the safety of y^e cōmon weale. Curio also did euil, in that he said, the Trāspadanes matter was iust, but yet euermoze he cried, Let profit preuaile. He should rather haue said, the matter was not iust because it was not profitable for the cōmon weal, then whē he said it was iust, he should graunt it was vnprofitable.

Hecatoes

Hecatoes first booke of duties is full of such questions, whether it be fit for a good man, in a very great dearth of corne, to giue ouer house-keeping; he disputeth the matter on both sides: but yet at last he thinketh, duty is directed rather after profit, then after humanity. He puts the case, if one must needs take losse by sea, whether shuld he rather beare the losse of a horse much worth, then of a slaue little worth. In this case priuate profit leades a man one way, and humanitie another. If a scoule in a shipwrack catch hold of a board, shall a wise man take it from him, if he can? he saith no, because it were iniurious. What may the owner of the ship doe? shall he take his owne? no, no more then he may cast a passenger out of the ship into the sea, because it is his. For vntill they arrive at the place, whether the ship was hired, the ship is not the owners, but theirs that fall in it. What if two in a shipwracke light vpon

Plenus est sextus liber de officijs Hæcatonis talium questionum: fit ne boni viri in maxima caritate annonæ familiam non alere in vtramq; partem disputat: sed tamen ad extremum vtilitate putat officium dirigi, magis quam humanitate. Quærit si in mari iactura facienda sit, equi ne preciosi potius iacturam faciat, an seruile velis? Hic aliò res familiaris, aliò ducit humanitas. Si tabulam de naufragio stultus arripuerit, extorquebit nec eam sapiens, si potuerit? Negat, quia sit iniurium. Quid dominus nauis? eripiet nec suum. Minime, non plus quam si nauigantem in alto eijcere de naui velit, quia sua sit.

Quoad enim pertinet, tum sit eò, quò sumpta nauis est, non domini nauis, sed nauigantium. Quid si in vna tabula sint duo naufragi, hi que

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hiq̃ue sunt sapientes : sibi vterq̃ue rapiat ? an alter cedat alteri : cedat verò, sed ei; cuius magis interfit, vel sua vel Reipublicæ causa viuere. Quid si hæc paria in vtroque. Nul- lum erit certamen, sed quasi in sorte, aut in micando victus, alteri cedat alter.

Quid si pater Fana expilet, cuniculos agat in ærarium, indicetne id magistratibus filius ? Nefas id quidem est, quin etiam defendet patrem, si arguatur. Non igitur patria præstat omnibus. Officijs im- mò verò, sed ipsi patriæ conducit, pios habere Cives in Paren- tes.

Quid si tyrannidem occupare, si patriam prodere conabitur Pa- ter, filebitne Filius ? immo verò obsecrabit Patrem ne id faciat : si nihil profeciet accusabit:

one boꝝd: & they both be wise men: shoul d either of the pul it to himselfe or one giue ouer his hold to the other: yea, he should giue ouer: but to him, whom it wer more expedient to liue, either for his own or the cōmon weals sake, what if these be alike in both: then there shall be no struing be- tween them: but the one must yeeld to the other, as the loser doth in lots, or at the Itali- an play with the fingers cal- led Tocco: what if the father rob churches: or vndermine the weals of the treasury: shuld the son open it to the magistra- tes: That were surely a cur- sed deed, yea rather he should defend his father if hee were accused thereof. Is not our country then aboue all du- ties: yea truly, but it is pro- fitable for ones country, to haue the inhabitants reuerēce their parents. What if ones father will go about to vsurp as a tyrant, or to betray his countrie, shall the sonne con- ceale it: May he shall desire his father not to doe it, if he nothing preuaile, hee shall blame

blame him, & threaten him also. And last of all, if the matter tend to the destruction of his country, he shall prefer the safety of his country before the safety of his father.

He puts a question also : if a wise man buywares received counterfeit money in stead of gold : after he perceives it, whether he should pay it out againe for good money, if he were indebted to any body? Diogenes saith, he may. Antipater denieth it, to whom I rather agree. He that wittingly selleth wine, & will not last: whether ought he to declare it, or no? Diogenes thinks, it is not needfull: Antipater reckens it the duty of a good man. These bee (as ye would say) the cases, in controversy in the Stoicks matters of law, whether in selling a bondman, his faults are to be told or no? I mean not those which by law you declare, the bondman man bee turned home againe by the Civil law : but these, that he is a lper, a dyer, a picker, a drunkard: some thinke meete

minabitur etiam, ad extremum : si ad perniciem Patriæ res spectabit, Patriæ salutem anteposit saluti Patris.

Querit etiam si sapiens adulterinos nummos acceperit imprudens pro bonis, cum id rescierit, soluturus ne sit eos, si cui debeat, pro bonis. Diogenes ait. Antipater negat: cui potius assentior. Qui vinum fugiens vendat sciens, debeat ne dicere? non necesse putat Diogenes: Antipater viri boni existimat. Hæc sunt quasi controversa iura Stoicorum, in mancipio vendendo dicenda ne vitia?

Non ea, quæ nisi dixeris, redhibeatur mancipium Iure Civili. Sed hæc mendacem esse, aleatorem, furacem, ebriosum, alteri dicenda videntur,

alteri

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alteri non videntur. Si quis aurum vendens, ori chalcum se putet vendere, indicet, ne ei vir bonus aurum illud esse, an emat denario, quod sit mille denariorum? Perspicuum iam est, & quid mihi videatur & quæ sit inter eos philosophos, quos nominavi, controuersia. Pacta & promissa semper ne seruanda sint, quæ nec vi, nec dolo malo, vt prætores solent dicere, facta sint. Si quis medicamentum cuiusdam dederit ad aquam intercutem, pepigeritque, si eo medicamento sanus factus esset, ne illo medicamento vquam postea vteretur: & annis aliquot post incideret in eundem morbum, nec ab eo, quicum pepigerat impetret, vt item eo liceat vti, quid faciendum sit, cum sit is inhumanus, qui non concedat vti, nec ei quicquam fiat iniuriæ?

to be told some other, not so. If one selling golde, supposeth he sels but copper, should a good man of dutie tell him, that it is gold, or he may buy for a Penny that is worth a thousand? It is already very plaine, both what I thinke & what the controuersie is among the Philosophers, whom I named. Whether are covenants and promises alwaies to be kept, which bee (as the Pretors vse to speake) made neither by compulsion, nor by couine. If one minister to another a medicine for the dropse, and bindes the patient by couenant, that hee shall neuer after vse the same medicine, in case hee bee made whole by that medicin, and within a few years after doe fall into the same disease, and cannot obtaine of him, with whom he made the couenant, that hee may vse it likewise againe, what is to be done, seeing hee is so vngentle, and will not graunt him to vse it, and he should take no harme thereby?

The

The man must haue regard to his owne life and health. What if a wise man bee required of one, who makes him his heire, wher two millions and 500000. crowns he left him by Testament, that before hee haue the possession of it, he daunce openly on the day time in the market, and he promiseth so to doe, because otherwise the man would not put him in, as his heire; should hee doe then that hee promised or not? I would wish hee had made no such promise, and that I thincke had bene a point of grauitie: but seeing hee promised it, if he count it dishonest to daunce in the market, hee shall with the more honesty goe from his word, if he take nothing of the inheritance, except peradventure he will bestow the same money vpon the common wealth, in sometime of great necessitie, that it may be no shame for him, euen to dance when he shall procure the wealth of his Country.

Vitz & saluti consulendum est. Quid? si quis sapiens rogatus sit ab eo, qui eum heredem faciat, cum ei testamentum to sestertium millies relinquatur, vt antequam hereditatem adeat, luce palam in foro saltet, idque se facturum promiserit, quod aliter cum heredem scripturus ille non esset: faciat quod promiserit, nec ne? promississe nolle & id arbitror fuisse grauitatis. Sed quoniam promisit, si saltare in foro turpe ducet, honestius mentietur, si ex hereditate nihil coeperit, quam si coeperit: nisi forte eam pecuniam in Reipublice magnum aliquod tempus contulerit: vt vel saltare eum, cum patrie, consulturus sit, turpe non sit.

X

Ac

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Ac nè illa quidem promissa seruanda sunt, quæ non sunt his ipsis vtilia, quibus illa promiseris.

Sol Phaëthonti filio (vt redeamus ad fabulas) facturum se esse dixit, quicquid optasset: optauit. vt in currum Patris tolleretur: sublatus est insanus, atque quia consistit; ictu fulminis deflagrauit. Quamto melius fuerat, in hoc promissum patris non esse seruatum?

Quid, quod Theseus exegit promissum à Neptune? cui cum tres optationes Neptunus dedisset, optauit interitum Hippolyti filij sui, cum is patri suspectus esset de nouerca: quo optato impetrato, Theseus in maximis fuit luctibus.

Quid Agamemnon? cum deuouisset Dianæ, quod in suo regno pulcherrimum natum

Non those promises are to be kept, which be not profitable, euen for them to whom you made them.

Titan (that we may return to fables) sayd to Phaëton his Sonne, hee would doe whatsoeuer hee would desire. He desired to be taken vp into his Fathers Chariot: the mad soyle was hopped vp, and on the side where he stood, with a flash of lightening, hee fell all on fire. How much better had it bene his fathers promise had not bene in this performed?

What shall we say to the promise that Theseus required of Neptunus? to whom when Neptunus had granted three Wones: Theseus asked the death of Hyppolitus his son, when his father had him in a tealousie for his step mother: which wone being obtained, Theseus fell into very great lamentation.

What of Agamemnon? When hee had bowed to Diana, the fayrest creature, that should

should be borne that yere in his kingdome, he offered by in Sacrifice his Daughter Iphigenia, who was the fairest creature, born that yere. The promise rather should not haue bene kept, then so haynous a deede should be committed, wherfore promises also many times are not to be performed. Not at all times things laide to keepe, are to be restored. As if one well in his wit, shall leaue a sword with you to keepe, and aske it againe, when hee is mad, it were a sinne to restore it, and dutie to keepe it. What if one who hath left money with you to keepe, would make warre against your Country, shall you restore what was laide you to keepe? no, as I suppose, for you shall do against the common wealth, which ought to be most deere vnto you. So, many things, which by nature seeme to be honest, by chaunge of times, become dishonest.

esset illo anno, immolauit Iphigeniam, qua nihil erat eo quidem anno natum pulchrius.

Promissum potius non faciendum, quam tam tetrum facinus admitendum fuit.

Ergo & promissa non facienda nonnunquam. Neque semper deposita reddenda sunt.

Si gladium quis apud te sana mente deposuerit, repetat insaniens, reddere peccatum sit, non reddere officium.

Quid si is, qui apud te pecuniam deposuerat, bellum inferat patriæ? reddes ne depositum? Non credo: facies enim contra Rempublicam, quæ debet esse charissima.

Sic multa, quæ natura honesta videntur esse, temporibus sunt non honesta.

X.

Facere

De Officijs.

Facere promissa, stare conuentis, reddere deposita, commutata utilitate fiunt non honesta.

Ac de his quidem, quæ videntur esse utilitates contra iustitiam simulatione prudentiæ, satis arbitror dictum.

Sed quoniam à quatuor fontibus honestatis primo libro officia duximus: in eisdem versabimur cum docebimus ea, quæ videntur esse utilia, neque sunt, quam sint virtutis inimica.

Ac de prudentia quidem, quam vult imitari malicia, itemque de iustitia, quæ semper est utilis, disputatum est.

Reliquæ sunt duæ partes honestatis: quarum altera in animi excellentis magnitudine & præstantia cernitur: altera in conformatione & moderatione continentiæ & temperantiæ.

To performe promises, to stand to Couenants, to restore that is laid ye to keepe, when it othermife behoueth, it becommeth dishonest. And of these which seeme to be cases of profit, contrary to iustice, vnder pretence of wisdom, I think it sufficiently declared.

But forasmuch as in our first booke we haue drawne all duties out of foure fountaines of honesty: we shall continue still in the same: when we teach what enemies of vertue those things be: which seeme to be profitable, and are not so indeede.

And thus of wisdom, whom wiliness would resemble: and likewise of iustice, which is alwayes profitable, we haue discoursed.

The other two parts of honesty remaine: wherof the one is seene in the greatnes, and worthinesse of an excellent courage: the other in the framing and measuring of staيدnesse, and temperance.

It

It seemed profitable to V-
lisses (as some tragicall Po-
ets haue set it out: for in Ho-
mer, the best authoꝝ, there is
no such suspition of Vlisses)
but the tragedies do lay it as
a repproach to him, that by
counterfainting madnesse, he
would haue scaped going a
warfare. It was no honest
deuice, yet profitable it was
(as some peradventure will
say) to rule and to liue qui-
etly at Ithaca, with his pa-
rents, with his wife & with
his sonne.

Thinke you any honour
got in daily daungers, and
trauailles, is to bee compa-
red with his quietnesse of
life? I verely iudge it meete
to be despised and reiected:
because what so is not honest
I count it in no wise to be
profitable.

For what thinke you, Vlisses
should haue heard, if he had
continued still in his coun-
terfainting? Who, hauing
done great feates in warre,
yet heard these words of
Ajax.

Vtile videbatur Vliss-
si (vt quidam Poetæ tra-
gici prodiderunt, nam
apud Homerum opti-
mum authorem talis de
Vlisse nulla suspitio est)
sed insimulant cum tra-
gediæ, simulatione insa-
niæ militiam subterfuge-
re voluisse. Non hone-
stum consilium: at vtile
(vt aliquis fortassé dixe-
rit) regnare & Ithacæ
viuere otiosè cum Pa-
rentibus, cum vxore, cū
filio.

Vllum tu decus in quo-
tidianis periculis & labo-
ribus cum tranquillitate
hac conferendum pu-
tas? Ego verò istam con-
temnendam & abijci-
endam, quoniam quæ
honestæ non sit, ne vti-
lem quidem esse arbi-
tror.

Quid enim auditurū
putas fuisse Vlissēm, si
in illa simulatione per-
seuerasset? qui cum max-
imas res gesserit in bel-
lo, tamen hæc audiuit
ab Aiace.

X3

Cuius

subaudi tranquillitatem

De Officijs.

Cuius ipse princeps
iurisiurandi fuit.

For all the conscience of
that oath, he passed not a lie.

Quod omnes scitis,
solus neglexit fidem.

Which he himselfe procu-
red first, ye wot as wel as I.

Furere assimulauit, ne
coiret, institit.

He could put on a faryned
face, & fare as he were mad.

Quod ni Palamedis
perspicax prudentia.

And not to go with them,
he wrought with all the
wiles he had.

Istius percepset ma-
liciosam audaciam.

His lie boldnesse, but Pa-
lamade by deepe pollicie did
spie:

Fide sacra ius perpe-
tuum falleret.

The sacred law of so-
lemne oath, the Greck would
still denie.

Illi verò non modò
cum hostibus, verum e-
tiam cum fluctibus, id
quod fecit, dimicare me-
lius fuit, quam deferere
consentientem Græci-
am ad bellum barbaris
inferendum.

For him no doubt it was
better to fight, not only with
his enemies, but also with
the waues of the sea, as he
did, then to shrink from them
of Grece, who had conclu-
ded together to make warre
vpon the Trojans.

But

But let vs leaue off both fables, & foynaine examples, and come we to truth and deedes.

When M. Attilius Regulus, being second time Consul, was taken by a traine in Africe: Xantippus the Lacedæmonian being the guide, and Amilcar, Annibals father the generall, he was sent to the Senate vpon his oath, that except certaine Gentlemen taken prissoners, were restored to the Venes, he should himselfe returne to Carthage. When he was come to Rome, he saw well the shew of profit, but as the matter proueth he iudged it very vaine, which was but on this sort, to tarry stil in his country, to be at home with his wife & children, to keepe his degree of Consular estate, & to take the misery which he had felt in warre, to be common to warfaring fortune. Who can deny these things to be profitable? what thinke you? Greatnesse of courage, and manlines saith nay to it.

Sed dimittamus & fabulas & externa, ad re factam nostramque veniamus.

M. Attilius Regulus, cum Consul iterum in Africa ex insidijs captus esset, duce Xantippo Lacedæmonio, Imperatore autem patre Annibalis Amilcare, iuratus, missus est ad Senatum, vt nisi redditi essent Pœnis captiui nobiles quidam, rederit ipse Carthaginem.

Is cum Romam venisset, vtilitatis speciem videbat, sed eam (vt res declarat) falsam iudicauit: quæ erat talis, manere in patria, esse domi suæ cum vxore, cum liberis, quam calamitatem accepisset in bello, communem fortunam bellicæ iudicantem, tenere consularis dignitatis gradum. Quis hæc negat esse vtilia? quem censes? Magnitudo animi & fortitudo negat.

X 4

Num

De Officijs.

Num locupletiores
queris authores? Ha-
rum enim est virtutum
proprium, nil extimes-
cere? omnia huma-
na despiciere, nihil quod
homini accidere possit,
intolerandum putare.
Itaque quid fecit? in
Senatum venit, manda-
ta exposuit, sententiam
ne diceret, recusavit:
quamdiu iureiurando
hostium teneretur, non
esse se Senatorem. At-
que illud etiam (O stul-
tum hominem dixerit
quispiam, & repugnan-
tem utilitati suæ!) reddi
captiuos negavit esse v-
tile. Illos enim adoles-
centes, & bonos duces,
se iam confectum senie-
scere. Cuius cum vala-
isset auctoritas, captiui
retenti sunt, ipse Car-
thaginem rediit. Ne-
que cum charitas pa-
trix retinuit, nec suo-
rum.

Neque vero tunc ig-
norabat se ad crudelis-

Take ye for more sub-
stantiall authorities: For of
these vertues it is the pro-
perty to be afraid of nothing
to despise all worldly vani-
ties, to thinke nothing un-
sufferable that to man may
befall. Therefore what did
hee? He came into the Se-
nate, declared that he had in
commandement, refused to
give his sentence, and said he
was no Senator, as long
as hee was bound by oath,
ministred by his enemies.
Yea, and this moreover hee
said (A foolish man, wil some
say, & against his owne pro-
fit) that it was not expedient
to haue the captiues restord.
For he alleadged they were
young and good Captaines,
whereas he was woyme, and
spent with age. Whose au-
thoritte when it had preuaile-
d, the Captiues were kept
still, he himselfe returned to
Carthage, and neither loue
of his Countrey, nor of his
kingfolke staid him.

Yet was it not unknown
to

to him, that hee returned to a very cruell enimie, and to extreame torments: but hee thought his oath meete to be perfozmed. Wherefoze euen at the time, when hee was put to death with continuall waking, hee was in better state: then if he had remayned an aged captiue, and a perjured senatour at home. But fondly, will some say, he did, who not onely iudged it vnmeete, that the captiues should be restored, but also diswaded it.

How, I pray ye, did hee fondly? Did he so, seeing he auailed the common wealth? May that bee profitable for any Citizen, which is vnprofitable to the state? When doe we see those foundations which Nature layeth, when they seuer profit from honestie. For we all couet profit, and to it be carried, not by any meanes otherwise can we doe. For who is he, that flyeth profit? Or who rather is there that followeth not the same most diligently?

finum hostem, & ad exquisita supplicia proficisci: sed iusiurandum conseruandum putabat. Itaque tum, cum vigilando necabatur, erat in meliora causa, quam si domi senex, captiuis periturus, consularis remansisset.

At stultè: qui non modo non censuerit captiuos remittendos; verum etiam dissuaserit.

Quomodo stultè? etiam ne si Reipublicæ conducebat. Potest autem quod inutile Reipublicæ sit, id cuiquam ciui vtile esse? Peruertunt homines ea, quæ sunt fundamenta naturæ, cum vtilitatem ab honestate seiungunt. Omnes enim expetimus vtilitatem, ad eamque rapimur, nec facere aliter vilo modo possumus. Nam quis est, qui vtilia fugiat? aut quis potius, qui ea non studiosissimè persequatur.

Sed

De Officijs.

Sed quia nusquam possumus, nisi in laude, decore honestate vtilia reperire propterea illa prima & summa habem' vtilitatis nomen non tã splendidũ, quàm necessarium ducimus. Quid est igitur (dixerit quis) in iureiurando? num iratum timemus Iouem? At hoc quidẽ commune est omnium Philosophorũ, non eorum modò, qui Deũ nihil habere ipsum negotij dicunt, & nihil exhibere alteri: sed eorum etiam, qui Deum semper agere aliquid, & moliri volunt. Nunquam nec irasci Deum, nec nocere.

Quid autem iratus Iupiter plus nocere potuisset, quàm nocuit sibi ipse Regulus? Nulla igitur vis fuit religionis, quæ tantam vtilitatem peruerteret. An nè turpiter faceret? primum minima de malis. Num igitur tantum mali turpi-

But because no wher we can find things profitable, but in praise, sãmelinesse, and honesty therefore we esteẽme those as chiefe & highest, and the commendation of profite we count not so honourable, as necessary. What is there then in oath? will some say, are we asfeard Iupiter will be angry? May this is common among all Philosophers not onely those who hold, that God himselte hath nothing to do, & nothing appoints to another body: but them also, who will needes haue God alway doing and medling with somewhat: that God is neuer angry, noz euer hurteth any creature.

What greater harme could Iupiter haue done, being offended, then Regulus did to himselte? Ther was then no respect of religion that might ouerturne so great a profite. What? should we haue done dishonestly? First, of euils, & least were to be chosen: shall then this dishonestie haue in it so much discommodity, as

as had that torment: *Moz-* tudo ista habebit, quam
ouer, this saying that is in tum ille crutiatus? De-
Accius. indè illud etiam apud
Accius.

Hast thou thy faithed pro-
mise broke?

My faith I nerther gaue,
nor gine,

To any faithles, while I liue

Fregisti nè fidem?
Neque dedi, neq; do
infideli cuiquam.

Though of a wicked king
it be said, yet it is excellent:
ly said.

Quanquam ab impio
rege dicitur, luculentè
tamen dicitur.

Herebnto we adde, that
as we say, some things seeme
profitable, which are not so
indeed, that they in like man-
ner say, some things seem ho-
nest which are not so indeed,
as for example, this same
seemeth honest that he did
returne to torment, for the
sauiing of his oath: but it be-
came dishonest, because that
which had bene wrought by
the violence of his enemies,
should not haue ben by him
confirmed. They say also
to this, that what so is very
profitable, the same groweth
likewise to be honest, al-
thogh it seemed not so at first.

Addunt etiam, quem-
admodum nos dicamus
videri quædam vtilia,
quæ non sint, sic se di-
cere videri quædam ho-
nesta quæ non sint: vt
hoc ipsum videtur ho-
nestum conseruandi iu-
risiurandi causa, ad cru-
ciatum reuertisse. Sed
fit non honestum, quia
quod per vim hostrium
esset actum, ratum esse
non debuit.

Addunt etiam quic-
quid valde vtile sit, id
fieri honestum, etiam
si antea non videretur.

Hæc

De Officijs.

Hæc ferè contra Regulum. Sed prima videamus.

Non fuit Iupiter metuendus, ne iratus noceret, qui neque irasci solet, neque nocere. Hæc quidem ratio non magis contra Regulum, quam contra omne iusiurandum valet.

Sed in iureiurando, non qui metus, sed quævis sit, debet intelligi. Est enim iusiurandum affirmatio religiosa.

Quod autem affirmatè quasi Deo teste promiseris, id tenendum est. Iam enim non ad iram Deorum, quæ nulla est: sed ad iustitiam & ad fidem pertinet. Nam præclare Ennius.

O Fides alma apta pen-
nis, & iusiurandû Iouis!

Qui igitur iusiurandum violat, is fidem violat: quam in Capitolio vicinam Iouis Opt. Max. ut in Catonis oratione est,

These things commonly be alleadged against Regulus. But let vs consider the first. Iupiter was not to be feared, least he should hurt him in his anger: because neyther to be angry, nor to doe harme he is accustomed. This reason surely maketh no more against Regulus, then against all kinde of oathes. But in the oath making, not what the fear, but what vertue of it is, ought to be considered. For an oath is a religious assuring of any thing. And what so assuredly you haue promised, as taking God to witnesse, it ought to be obserued. For the oath now respects not the wrath of the Gods, which is none at all, but iustice and faithfulness. For notably saide Ennius.

O heauenly faith, tie to thy wings the oath of Ioue also,

Who so then stearneth his oath, he stearneth Ladys faith: Whom as it appeares in Catoes Oration, our ancestours would needs haue to stand in our Capitol
next

next vnto the great & mighty Ioue. Yea but Iupiter being displeased, could not haue done moze harme to Regulus than Regulus did to himself.

That is true if there were nothing euill, but to feele paine. But the Philosophers, that be of the greatest authoritie, doe affirme that it not onely is not the vttermost euill, but also no euil at all. For whom I praye, do not refuse to take Regulus as no meane witnesse, but I beleue the grauest of all. For what moze substantiall witnesse doe we looke for then a peere of the common weale, who for the continuing of his duty did willingly enter into torments. For whereas they say, of euils the least are to be chosen, meaning it is better dishonestly, then miserably to liue: is there any greater euill, then dishonesty? which if in the deformity of the body it breedeth some offence: how much must needs

maiores nostri esse voluerunt. At enim ne iratus quidem Iupiter plus Regulo nocuisset, quam sibi nocuit ipse Regulus. Certè si nihil malum esset, nisi dolere: id autem non modo non summum malum, sed nec malum quidem esse, maxima autoritate Philosophi affirmant. Quorum quidem testem non mediocrè, sed haud scio an grauissimum Regulum, nolite quæso vituperare.

Quem enim locupletiores quærimus, quam principem. Po. Ro. qui retinendi officij causa, cruciatum subierit voluntarium? Nam quod aiunt minima de malis, id est vt turpiter, potius quam calamitosè: an est vllum maius malum turpitudine? Quæ si in deformitate corporis habet aliquid offensionis, quan-

De Officijs.

quanta illa deprauatio
& foeditas turpificati
animi debet videri? Ita-
que neruosius qui ista
differunt, solum audent
malum dicere, id quod
turpe sit: qui autem
remissius, hi tamen non
dubitant summum ma-
lum dicere:

Nam illud quidem,
fidem neque dedi, neque
do infideli cuiquam.

Idcirco rectè à Poëta
dicitur, quia cùm trac-
taretur Atreus, personæ
seruendum fuit.

Sed si hoc sibi su-
munt nullam esse fidem,
quæ infideli data sit, vi-
deant ne quæraturs late-
bra periurio.

Est autem ius etiam
bellicum, fidesque iuris-
iurandi sæpe hoste ser-
uanda. Quod enim ita
iuratum est, vt mens
conciperet fieri oportere

the corruption and filth of
a defiled minde appeare:
Therefore they who more
pithily debate these matters
are bold to call that the one-
ly euill which is dishonest,
and that who dispute them
not so earnestly, do not stick
to call the same the vtterest
euill, as for the saying:

My faith I nether gaue
nor giue.

To any faithlesse, while
I liue.

It is therefore well brought
in of the Poet, because when
Atreus part should goe in
hand, it was meet the speech
should serue for his person.
But if hereof they take
themselves a rule, that it is
no promise that is made to a
promise breaker: let them
take heed, ther be not sought
a starting hole for periurie.
The law of Armes, and the
promise of an oath is many
times to be kept with our e-
nimie. For what so in such
sort is sworn that the minde
of the swearer conceiueth, it

is necessary to be done, that same is to be obserued, what so falleth otherwise, the same if one doe not, it is no periurie. As if you bring not the sum of money that ye promised rangers for your life: there is no deceit in it, no though being sworn therto ye doe it not: for a Pirate is not counted in the number of enemies to ones country, but a common enemy to all men; with such a one neither promise, neyther oath ought a like as with vs to be kept.

For to sware an vntruth, is not to forswear, but not to performe that which according to the meaning of your heart you haue sworn, as by our custome is exprest in a certain forme of words: surely it is periury. For feately said Euripides.

In word I sware,
But hart vnsworne I bare.

But it was not fit for Regulus with periury to disturb the conditions, and covenants with his enemies, and of warre. For with a iust and

id seruandum est, quod aliter, id si non feceris, nullum periurium est. Vt si Prædonibus pactum pro capite pretium non attuleris, nulla fraus est, ne si iuratus quidem id non feceris. Nam pirata non est ex perduellium numero definitus, sed communis hostis omnium: Cum hoc nec fides debet, nec iurandum esse commune.

Non enim falsum iurare, periurare est, sed quod ex animi tui sententia iuraueris, sicut verbis concipitur more nostro, id non facere, periurium est. Scitè enim Euripides.

Iuravi lingua, mentem iniuratum gero.

Regulus verò non debuit conditiones, pactionesque bellicas & hostiles perturbare periurio. Cum iusto enim & legiti-

De Officijs.

legitimo hoste res gerebatur : aduersus quem & totum ius fetiale & multa sunt iura communia. Quod ni ita esset nunquam claros viros Senatus victos hostibus dedidisset. At vero Titus Veturius & Spurius Posthumus cum iterum consules essent, quia cum male pugnatum apud Caudium esset legionibus nostris subiugum missis pacem cum Samnitibus fecerant, dediti sunt his : in iussu enim populi. Senatusque fecerant.

Eodemque tempore Titus Numitius, Quintus Emilius, qui tum Tribuni plebis erant, quod eorum autoritate pax erat facta didici sunt, ut pax Samnitium repudiaretur. Atque huius deditionis ipse Posthumus, qui dedebatur, suator & autor fuit. Quod idem multis annis post Caius Nancinus, qui

lawfull enim the thing was done: toward whom both all the fetiall law, and diuers other lawes bee in conimon, which if it were not so: the Senate would neuer haue deliuered to their enemies, noble men being prisoners. But yet T. Veturius and Sp. Posthumus the second time they were Consuls, because when they had not fought it well at Caudium, & our legions being subdued, they had made a peace with the Samnites, they were deliuered vnto them, for without commission of the people and the Senate they had done it.

And at the same time T. Numitius and Qu. Emilius, who wer then the Tribunes of the people, because the peace was made by their authority, were deliuered also, that the peace with the Samnites might bee refused. And Posthumus selfe who was deliuered, was the perswader and causer of the same deliuey. Which likewise Caius Nancinus did, many yeres after: who, that he might be deliuered

deliuered to \S Numantines, with whom without authority of the Senate he had concluded a league, perswaded the particular law, which L. Furius, & S. Atilius, made by \S decree of the Senate, & when it was receiued, he was deliuered to the enimies. This man dealt more honestly the Q. Pompeius, by whose intercession when he was in the same case it was brought to passe, that the law was receiued: with him the thing which seemed profit, preuailed more then honesty, with the other aforesaid, the false shew of profit, was suppressed by the authority of honesty. But that which was done by violence needed not to haue been confirmed: as who should say, violence could be done to a manly man, why then did he go to the Senate, namely, seeing he was purposed to dissuade them from the deliuey of the captiues? That in him was most commendable, the same ye disallow,

vt Numantinis, quibus cum sine Senatus auctoritate fedus fecerat, dederetur, rogationem suasset eam, quam Lucius Furius, & Sextus Atillius ex Senatus consulto ferebant: qua accepta, est hostibus deditus. Honestius hic, quam Quintus Pompeius, quo, cum in eadem causa esset, deprecante accepta Lex non est. Hic ea, quæ videbatur utilitas, plus valuit, quam honestas apud superiores utilitatis species falsa, ab honestatis auctoritate superata est.

At non debuit ratum esse, quod erat actum per vim, quasi vero forti viro vis possit adhiberi. Cui igitur ad Senatum proficisceretur, cum praesertim de captiuis dissuasurus esset? Quod maximum in eo est, id reprehenditis.

Y

Non

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Non enim suo iudicio stetit : sed suscepit causam, vt esset iudicium Senatus : cui nisi ipse author fuisset, captiuus profecto Pœnis redditi essent.

Ira incolumis in patrio Regulis restitisset. Quod quia patriæ non vtile putauit, idcirco honestum sibi, & sentire illa & pari crededit. Nam quod aiunt, quod valde vtile sit, id fieri honestum, immò verò est, non fieri.

Est enim nihil vtile, quod idem non honestum, nec quia vtile, honestum est, sed quia honestum, vtile. Quare ex multis mirabilibus exemplis, haud facile quis dixerit hoc exemplo aut laudabilius aut præstantius.

Sed ex tota hac laude Reguli, vnum illud est admiratione dignum, quod captiuos retinendos censuerit.

For he stood not in his owne iudgement, but tooke the matter in hand, that it might be the iudgement of the Senate, wherunto if he had not ben a counsellor, the captiue no doubt had ben restored to the Carthageners. So had Regulus remayned safe in his Country, which because hee tooke it not to bee profitable for his country, therefore he thought it honest for him to be of the mind, & so to suffer. For where they say, that it which is very profitable, doth become honest, nay they should say, it is indeed, & not become honest. For there is nothing profitable, which same is not honest, & not because it is profitable, it is honest, but because it is honest, therefore it is profitable. Wherfore of many meruallous examples, a man shall not lightly tell either a more commendable, or a more goodly example then this. But in all this praise of Regulus this one thing is worthy of admiration, that hee thought it best, the prisoners should

should be kept still. For in
he returned, I think no wo-
der at all, because in those
daies he could not do other-
wise. Therefore the commen-
dation is not the mans, but
the times. For our auncest-
ors were of this minde, that
there is no straighter bond
to binde a mannes promise,
then an oath. The lawes in
the twelue Tables declare,
that our holy orders declare
the same, & our leagues de-
clare no lesse, wherby bound
is the promise made euen to
the enimie, the enteries and
punishmentes of the Cen-
sours declare as much, who
about no matter more hee-
dfully gaue iudgement, then
about keeping of oathes.

M. Pomponius, Tribune
of the people did summon L.
Manlius, Aulus sonne, when
he was Dictator to appeare
at a day, because he had ta-
ken vpon him the occupy-
ing of his Dictatorship a few
daies longer then he should,
and accused him also, that
he had giuen his son Titus,
who after ward was called

Nam quod redijt, nobis
nunc mirabile videtur:
illis quidem temporibus
aliter facere non potu-
it. Itaque ista laus non
est hominis, sed tempo-
rum. Nullum enim vin-
culum ad astringendam
fidem iureiurando ma-
iores arctius esse volu-
erunt. Id indicant Le-
ges in duodecem Ta-
bulis, indicant sacra, in-
dicant foedera, quibus
etiam cum hoste deuin-
citur fides, indicant no-
tationes, animaduertio-
nesque Censorum, qui
nulla de re diligentius,
quam de iureiurando iu-
dicabant.

Lucio Manlio Auli-
filio, cum Dictator fuis-
set Marcus Pomponi-
us Tribunus plebis di-
em dixit, quod is pau-
cos sibi dies ad dicta-
turam gerendam addi-
disset. Criminibatur e-
tiam, quod Titum fili-
um, qui Torquatus po-
stea est appellatus, ab
ho-

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hominibus relegasset & ruri habitare iussisset. Quod cum audiisset adolescens filius, negotium exhiberi patri, accurrisse Romam, & cum prima luce Pomponij domum venisse dicitur. Cui cum esset nuntiatum, quod illum iratum allaturum ad se aliquid contrapatrem arbitraretur, surrexit e lectulo, remortisque arbitris, ad se adolescentem iussit venire. At ille ut ingressus est, confestim gladium distrinxit, iuravitque se illum statim interfecturum, nisi iururandum sibi dedisset, se patrem missum esse facturum. Iuravit hoc terrore coactus Pomponius, rem ad populum detulit, docuit, cur sibi a causa desistere necesse esset. Manlium missum fecit. Tantum temporibus illis, iururandum valebat.

Torquatus from company of men, & had commanded him to dwell in the country, which when the young man his son once heard of, that his father was brought in trouble, it is sayd, he ran to Rome, and by breake of day came to Pomponius house. To whom when it was told, because he thought, that he being offended would bring some matter vnto him against his father, he arose out of his bed & all hearers being voided out of the place, he commaunded the young man should come to him. But he as soone as he entred, by and by drew his sword, & sware he would kill him out of hand, except hee made an oath vnto him, that he would discharge his father. Pomponius constrained with this terrour made an oath, so he opened the matter to the people, hee informed them, why it was necessarie for him to let fall the action. He discharged Manlius. So greatly was an oath had in regard at those dayes.

And

And this Titus Manlius is he who got his surname at the river of Anien, of a chain & he pulled from a Frenchman whom he slew, being dogged by him, in whose third consulship, the Latines at Vesles were discomfited & put to flight: a very noble man doubtlesse, and one, who not long afore being louing toward his father became sower & seuerer against his son.

But as Regulus is to be commended in keeping his oath, so those ten, whom Anniball after the Cannenstan fight, had sent the Senate vpon their oth, & they should retorne into the camp where of the Carthaginers were then in possession, except they obtained his request, for the ransoming of certaine prisoners, are to be dispraised if they did not return. Touching whom, all men write not after one sort. For Polibius, a speciall good author, writeth: that of the ten chosen Gentlemen, who then were sent, nine returned :

"Atque hic Titus Manlius is est, qui ad Anienem Galli, quem ab eo prouocatus occiderat, torque detracto, cognomen inuenit : cuius tertio Consulatu Latini ad Vesperim fusi & fugati sunt. Magnus vir in primis & qui per indulgens in patrem, idem acerbè seuerus in filium.

Sed vt laudandus Regulus in conseruando iureiurando, sic decem illi, quos post Cannensem pugnam iuratos ad Senatum misit Annibal se in castra redituros ea, quorum potituerant Peni nisi de redimendis captiuis impetrauissent, si non redierunt vituperandi.

De quibus non omnes vno modo. Nam Polibius bonus author in primis scibit : ex decem nobilissimis qui tunc erant missi nouè reuertisse

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à Senatu re non impetrata, vnum ex decem, qui paulo postquam egressus erat è castris, rediisset, quasi aliquid esset oblitus, Romæ remansisse. Reditu enim in castra, liberatum se esse iureiurando interpretabatur. Non rectè, Fraus enim adstringit, non dissoluit perurium, Fuit igitur stulta calliditas, peruersè imitata prudentiam. Itaque decreuit Senatus, vt ille veterator & callidus, vincus ad Annibalem diceretur.

Sed illud maximum: octo hominum millia tenebat Annibalem non quos in acie cepisset, aut qui periculo mortis diffugissent: sed qui relictì in castris fuissent à Paulo & Varrone consulis. Eos Senatus non censuit fedimendos: cum id parua pecunia fieri potuisset, vt esset insitum militibus

when the matter could not be obtained of the Senate, and that one of the ten, who a little after, he was gone out of the camp, returned backe as though he had forgotten som what, remained stil at Rome. For by his retorne to the camp, he took himselfe to be discharged of his oath, but that was not true. For guile confirmeth & not dischargeeth perurie. It was then a foolish craftinesse that did peeuishly counterfaiit wisdom. Therfore the Senate made a decre, that the same subtille and wily fore should be carried pinnioned to Anniball.

But this is a meruailous matter. Anniball had in hold eight thousand of our men, whom he took not in battell, nor as flying away for feare of death, but they were left behinde in the campe, by Paulus & Varro the Consuls. The Senate did not thinck it good to raunsome them: whereas they might haue done it for a little money, that it might inske into our Souldiers hearts, eyther

to win the victorie, or manfully to dye. Which thing when it was knowne, the said Polibius writes, that Annibals hart was danted therewith, because the Senate & people of Rome, euen in chaunces of aduersity, were of so lofty a courage. Thus the things which seeme profitable, be ouer-weighed by comparison of honesty. But that same Atilius who wrote the story in Græke, saith: ther were more which returned to the campe vnder the same guile that they might be discharged of their oath, and that they were noted by the Censours with all manner of infamy. Here an end of this parcell. For it is euident, that such things as be done with a feareful, seruile, dastardly and weake heart, as the doing of Regulus had been, if either he had thought concerning the prisoners, & he saw expedient for himself, & not for the common weale, or else would haue tarried still at home be not profitable, because they be reproch-

nostris, aut vincere, aut emori.

Qua quidem re audita, fractum animum Annibalis scribit idem: quod Senatus Populusque Romanus rebus afflictis, tam excelso animo fuisset. Sichonestatis comparatione, ea quæ videntur vtilia, vincuntur.

Atilius autem, qui Græcè scripsit Historiam, plures ait fuisse qui in Castra reuertissent, eadem fraude, vt iurando liberarentur: eosque à Censoribus omnibus ignominij notatos. Sit iam huius loci finis.

Perspicuum est enim ea, quæ timido animo, humili, demisso, fractoque fiant (quale fuisset Reguli factum, si aut de captiuis, quod ipsi opus esse videret, non quod Reipublicæ censuisset, aut domi remanere voluisset) non esse vtilia, quia sint flagitiosa, forda

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foeda & turpia.] Restat quarta pars, quæ decore, moderatione, modestia, continentia, temperantia continetur. Potest igitur quicquam esse utile quod sit huic talium virtutum choro contrarium? Atqui ab Aristippo Cyrenaici atque Annicerij Philosophi nominati, omne bonum in voluptate posuerunt: virtutemque censuerunt, ob eam rem esse laudandam quod efficiens esset voluptatis. Quibus obsoletis floret Epicurus eiusdem ferè adiutor, authorque sententiæ. Cum his viris, equisque (ut dicitur) si honestatem tueri, ac retinere sententia est, decertandum est. Nam si non modo utilitas, sed vita omnis beata corporis firma constitutione, eiusque constitutio nis spe explorata (ut à Metrodoro scriptum est) continetur: certè hæc utilitas & quidem summa (sic enim censent)

full, vile, and dishonest. The fourth part is now behinde, which consisteth in seemeliness, measure keeping, sober mode, stayednesse, and temperance. May then any thing be profitable, that is contrary to such an assembly of virtues? But the Cyranikes & Annicerians, who had their name of Philosophers from Aristippus, placed all felicitie in pleasure, & therefore they iudged vertue to be commendable, because it was a cause of pleasure, & when these were worn out of estimation then flourished Epicurus, a furtherer & an author well nigh of the same opinion. Against them must we strive with tooth and naile (as they say) if we meane to defend, and preserve honestie. For if not onely profit, but also all happy life consisteth in the good complexion of the body, and in a sure trust to the same complection, (as by Metrodorus it is written) doublelesse this manner profit, yea and the very chiefe (for so doe they hold)

will

will strue with honesty. For
 first of all, where shall there
 be a place appointed for wis-
 dome? What mean they that
 on euery side they should seeke
 after delicacies? How misera-
 ble a seruice were it for ver-
 tue to be a waiter vpon plea-
 sure. But what should be the
 office of wisdom? skilfully
 to choose out pleasures? Ad-
 mit there be nothing plesan-
 ter then so to doe, what can
 there be imagined more dis-
 honest? Now with him,
 who sayeth that paine is the
 vtterest euil, what place shal
 manlinesse haue, which cares
 not for any paines, or tra-
 uailles, that be offered? For
 although Epicurus speaks in
 many places touching paine
 (as he doth in this) stoutly
 enough: neuerthelesse it is
 not to be regarded what he
 saith, but what is meete for
 him to say, who hath pointed
 out the limits of good things
 to be in pleasure, and of euill
 things in pain, as if I shuld
 heare him speake of stayed-
 nesse and temperance.

cum honestate pugna-
 bit.

Nam ubi primum pru-
 dentiae locus dabitur?
 An vt conquirat vndique
 suauitates? Quam miser
 virtutis famulatus serui-
 entis voluptati. Quod
 autem munus prudentiae?
 an legere intelligent
 voluptates. Fac nihil isto
 esse iucundius, quid
 cogitare potest turpi-
 us?

Iam qui dolorem,
 summum malum dicat,
 apud eum quem habet
 locum fortitudo? quae
 est dolorum, laborumque
 contemptio? Quamuis e-
 nim multis in locis dicat
 Epicurus (sicut hic di-
 cit) satis fortiter de do-
 lore, tamen non id spect-
 andum est quid dicat,
 sed quid consentaneum
 sit ei dicere, qui bona
 voluptate terminauerit,
 mala dolore. Vt si il-
 lum audiam de conti-
 nentia & temperantia:

dicat

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dixit ille quidem multa multis locis, sed aqua heret vt aiunt. Nā qui potest temperantiam laudare is, qui ponat summum bonum in voluptate? Est enim temperantia libidinum inimica, libidines autem confectatrices voluptatis. Atq; in his tamē tribus generibus quoquo modo possunt, nō incalidē tergiuersantur. Prudentiā introducunt, scientiam suppeditanter voluptates depellentē dolores. Fortitudinem quoq; aliquo modo expediunt: cū tradunt rationem negligendæ mortis perpetiendiq; doloris. Etiam temperantiam inducunt non facillimē illiquidem sed tamē quomodo possunt. Dicūt enim voluptatis magnitudinem doloris detractiōe fieri. Iustitia vacillat vel iacet potius, omnesq; hæ virtutes, quæ communitate cernuntur, & in societate generis humani. Neq; enim bonitas, nec

hē takes indeēde in many places many things, but he is mired by the way, as they say. For how can he praise temperance, that sets the so-ueraigne good in pleasure. For temperance is enimie to lust, and lust is a wayting seruant to pleasure: and yet in these thre kinds, not without subtiltie, they fall to their shifts. They bring in wisdom as a science mistring pleasure auoyding paines. They set vs out also manlinesse after a certaine sort, when they teach a way to dispse death, and endure paine. They also fetch in temperance, with much ado doubtlesse, but yet as well as they may. For they hold that the greatnesse of pleasure ariseth by putting off all paine. Justice staggereth with them, or rather lieth vnder foot, and all those vertues that shew themselves in the common knot and fello wship of men.

For there can be neyther Goodnesse, neyther libe-

liberality, nor ciuillitie, no more then friendship may, if they bee not sought after for themselues, but bee referred to pleasure, or to profit.

Let vs then discourse our matter in few words. For as we haue taught, there is no profit, which is contrary to honestie: so we say all voluptuousnesse is contrary to honestie. And so much the more I take Callipho and Diomachus, worthy to be reprobued, who thought they should end the controuersie, if they made a ioyning of voluptuousnesse with honestie, as a beast with man, honestie admits not this knot, but doth abhorre & reiect it. For truely the end of good and euill, which ought to be after one sort, may be mingled & tempered with things disagreeable. But hereof hethereto, for it is a weightie matter, and in another place discoursed more at large. Now to the purpose. After what sort then the matter is to be resolved, if

liberalitas, nec comitas esse potest, non plus quam amicitia, si hæc non per se expetantur: sed ad voluptatē vtilitatemue referantur. Conferamus igitur in pauca. Nam vt vtilitatē nullam esse docuimus, quæ honestati esset contraria: sic omnem voluptatem dicimus honestati esse contrariā. Quō magis reprehendendos Calliphonem & Dinomachum iudico, qui se dirēpturos controuersiam putauerunt, si cum honestate voluptatē tanquam cum homine pecudem copulauissent. Non recepit istam conjunctionem honestas: aspernatur, repellit. Nec verō finis bonorum & malorum, qui simplex esse debet, ex dissimilibus rebus misceri & temperari potest. Sed de hoc (magna enim res est) alio loco pluribus. Nunc ad propositum. Quemadmodum igitur si quædam ea, quæ videretur

vtilitas,

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utilitas, honestati repugnat, dijudicanda res sit satis est supra disputatū: sin autem speciem utilitatis etiam voluptas habere dicatur: nulla potest esse ei cum honestate coniunctio. Nam ut tribuamus aliquid voluptati, condimenti fortasse nonnihil, utilitatis certe nihil habebit.

PERORATIO OPERIS.

Habes à patre munus Marce fili, mea quidem sententia magnum, sed perinde erit ut acceperis. Quanquam & hi tibi tres libri inter Cratippi commentarios tanquam hospites erunt recipiendi. Sed ut si ipse Menissem Athenas (quod quidem esset factum, nisi me è medio cursu clara voce patria reuocasset) aliquando me quoque audires: sic quoniam his voluminibus ad te profecta vox mea est,

at any time profit in appearance doth strive with honesty, it is before sufficiently debated, but if voluptuousnesse also be counted to have a shew of profit, it can have no fellowship with honestie. For bee it so, wee somewhat esteeme pleasure, some sauce perhaps it shall have in it, but surely no profit at all.

The conclusion and dedication of his workes, with an exhortation to his Sonne.

You have from your Father a present Sonne Mark, in my opinion, verely much worth, but it shall be even so as ye take it. Notwithstanding these three bookes are as strangers to be entertained of you among Cratippus notes. But as ye should once have heard me also, if I had come to Athens, which had ben done indeed, but that my country called me back with open mouth in the midst of my iourney, so seeing in these volumes my voyce is conveyed unto you, ye shall be
slow

flow as much time vpon the
as you may, and so much you
may, as you will. But when
I shall vnderstand that you
take pleasure in this kind of
knowledge, then I both pre-
sent there shortly as I trust,
and in your absence, absent
will speake with you.

Fare you well therfore, my
Cicero, and assure your selfe
that you are to me doubtlesse
right deer, and yet far dearer
shall be if in such booke,

and lessons, you will

set your de-
light.

tribues his temporis,
quantum poteris: pote-
ris autem quantum vo-
les. Cum verò intellex-
eris te hoc scientiæ ge-
nere gaudere, tū & præ-
sens tecum propediem
(vt spero) & dum aberis
absens loquar.

Vale igitur, mi Cice-
ro, tibiq; persuade, te mi-
hi quidem esse charissi-
mum, sed multo fore
chariorem, si talibus
monitis præcep-
tisque laxa-
bere.

FINIS

